



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



US 18760.35

Harvard College Library



FROM THE

BRIGHT LEGACY.

One half the income from this Legacy, which was received in 1880 under the will of

JONATHAN BROWN BRIGHT

of Waltham, Massachusetts, is to be expended for books for the College Library. The other half of the income is devoted to scholarships in Harvard University for the benefit of descendants of

HENRY BRIGHT, JR.,

who died at Watertown, Massachusetts, in 1686. In the absence of such descendants, other persons are eligible to the scholarships. The will requires that this announcement shall be made in every book added to the Library under its provisions.

<



THE

VIRGINIA "PEERAGE;"

—OR—

SKETCHES OF VIRGINIANS

DISTINGUISHED IN

VIRGINIA'S HISTORY.

BY ROBT. T. CRAIGHILL,

LYNCHBURG, VIRGINIA.

VOLUME I.

RICHMOND:

WILLIAM ELLIS JONES, STEAM BOOK AND JOB PRINTER.

1880.

~~17314.20~~

15 18760.35

1882. Dec. 19,

Bright Fund.

1880.

1664-15

RECEIVED 1 MAR 10 12

Entered according to act of Congress in the year 1880,

BY ROBT. T. CRAIGHILL,

In the office of the Librarian of Congress at Washington.

CONTENTS.

INTRODUCTORY,	Page v
⊕ GEORGE WASHINGTON,	I
⊕ PATRICK HENRY,	85
⊕ THOMAS JEFFERSON,	143
⊕ JOHN MARSHALL,	229
⊕ JOHN RANDOLPH, OF ROANOKE,	285
APPENDIX,	343

2

1

INTRODUCTORY.

PERHAPS the most exquisite pencilling that embellishes the Works of Sir Walter Scott, is his portraiture of "Old Mortality." There is an almost sublime pathos in the picture he presents, of the devout old Cameronian, passing from place to place throughout the Lowlands of Scotland, practising, without fee or reward, the task of clearing away, with humble but devoted chisel, the accumulated moss and weather-stains from the gravestones which sheltered the dust of former generations. A sentiment at least akin to his has prompted the following work.

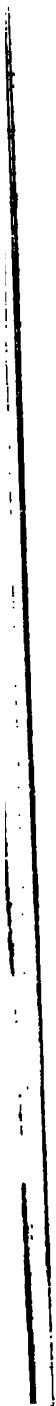
In giving THE VIRGINIA "PEERAGE" to the public, the writer takes to himself little credit beyond that of a mere compiler. Nothing new could be written about the men treated of, and, in the delineation of their characters, the effort has been rather to arrange on canvas, in pleasing order and sequence, some of the exquisite touches of other brushes; thus presenting a finished sketch of each, in such short compass, that their likeness would appear at a glance, and be caught and treasured in the memory of even the most desultory readers. The aim has been to collocate, as it were, into one picture-gallery, the portraits of these great men; thus enabling the people of Virginia, (for whose benefit the work is mainly designed,) to look upon a *group* of her

most distinguished sons, instead of contemplating them singly, and through the mazes of extended biographies.

Without intending to indicate any partialities, or to institute any comparisons unfavorable to the many others, living and dead, who deserve similar notice; these have been selected as unquestionably worthy to be ranked among the "Jewels of Virginia." The list has been purposely, and for obvious reasons, confined to those whose records are complete—the book of whose lives is made up, sealed, and ended,—and whose characters have been scanned long enough by succeeding generations, for impartial estimate. If the result of these efforts, and the design, (of which this volume is the first-fruits,) should perchance add *anything* to the general appreciation of Virginia—the mother of these sons; or should induce the people, and especially the young men of Virginia, to read the lives and study the characters of these great Virginians,—the reward will be as great as could be desired, greater than is deserved, for a work accomplished in some of the leisure moments snatched from a busy life.

R. T. C.

Lynchburg, Va., July 1880.



THE VIRGINIA "PEERAGE."

GEORGE WASHINGTON.

GEORGE WASHINGTON, the son of Augustine Washington and Mary Ball, his second wife, was born in Westmoreland county, Va., on the 11th day of February, 1732, O. S., or the 22d day of February, according to the style of computing time, now in use. His great-grandfather, John Washington, had emigrated from the north of England to Virginia, about the year 1657. At the age of ten years, having lost his father, the burden of the rearing and education of himself, one sister and three brothers, devolved upon the excellent mother, whose moderate means precluded the bestowal of a liberal education upon him. Trained by her, however, to regard *duty* as the polestar of all his actions, and gifted with a noble nature and a bold, quick, and inquisitive mind, it is scarcely wonderful that his early life should have exhibited those qualities and virtues, which, developed by the

stirring times in which he lived, afterwards made him the greatest, because the best of great men.

At the age of about fifteen, he secured the appointment of midshipman in the British navy, with the view of taking part, at that tender age, in the wars then progressing; but in deference to the wishes of his mother, he restrained his youthful ardor, gave up his midshipman's warrant, and returned quietly to his studies.*

In his eighteenth year, Lord Fairfax (with whom he was connected by marriage), appointed him surveyor in the western part of the Northern Neck of Virginia, of which territory that nobleman was proprietor. The experience he thus gained, as a surveyor and explorer of new country, besides giving him an acquaintance with the topography of the territory, which

*His maternal uncle, Joseph Ball, a lawyer, who lived at "Stratford-by-Bow, nigh London," wrote a letter on this subject in May, 1747, to George Washington's mother, in which he said: "I understand that you are advised and have some thoughts of putting your son George to sea. I think he had better be put *apprentice to a tinker*, for a common sailor before the mast has by no means the common liberty of the subject; for they will press him from a ship where he has fifty shillings a month, and make him take twenty-three, and cut and slash and use him like a negro, or rather like a dog. And, as for any considerable preferment in the navy, it is not to be expected, as there are always so many gaping for it here who have interest, and he has none. * * * * *

He must not be too hasty to be rich, but go on gently and with patience, as things will naturally go. This, method, without aiming at being a fine gentleman before his time, will carry a man more comfortably and surely through the world than going to sea, unless it be a great chance indeed."

afterwards proved eminently useful to himself and his country, admirably fitted him, by the hardship and exposure he underwent, for the still rougher and more stirring scenes upon which he was shortly to enter; and doubtless contributed in no small degree to the remarkable vigor and hardihood with which, in after years, he encountered and overcame the most trying difficulties.

About the year 1751, George Washington being then nineteen years of age, in view of the aggressions of the French, the militia of Virginia was put in training for actual service, and a commission as one of the Adjutants-general of Virginia, with the rank of Major, was conferred upon the youthful Washington. About two years afterwards he was sent as Envoy, by Lieutenant-Governor Dinwiddie, with dispatches to the commander of the French forces on the Ohio river, warning him to desist from encroachments upon the territory of Virginia. This mission, although successfully accomplished in midwinter by the intrepid youth—through difficulties and hardships which would be almost incredible in their detail—through dangers from snow and high waters, and the still greater peril from wild beasts and hostile Indians—was attended with no results beyond eliciting a cold and unsatisfactory reply from the French general, St. Pierre; and the Assembly of Virginia thereupon,

authorized the Executive to raise a regiment, for the purpose of forcibly expelling the French from her borders. The following letter from Major Washington to Col. Richard Corbin, a member of the Executive Council, in which he declined being a candidate for the colonelcy of this regiment, is strikingly characteristic of the man :

“DEAR SIR—In a conversation at Green Spring you gave me some room to hope for a commission above that of a Major, and to be ranked among the chief officers of this expedition. The command of the whole forces is what I neither look for, expect, or desire, for I must be impartial enough to confess, it is a charge too great for my youth and inexperience to be intrusted with. Knowing this, I have too sincere a love for my country, to undertake that which may tend to prejudice it. But if I could entertain hopes that you thought me worthy of the post of Lieutenant-Colonel, and would favor me so far as to mention it at the appointment of officers, I could not but entertain a true sense of the kindness. I flatter myself that under a skilful commander, or man of sense (which I most sincerely wish to serve under), with my own application and diligent study of my duty, I shall be able to conduct my steps without censure, and in time, render myself worthy of the promotion that I shall be favored with now.”

He was accordingly appointed Lieutenant-Colonel, and in this capacity very soon distinguished himself, by surrounding and capturing a considerable force of the French, near the Great Meadows in the Alleghany mountains, afterwards called Fort Necessity. This victory was achieved with but two companies of militia which had been sent forward by forced marches under the command of Lieutenant-Colonel Washington, for the purpose of occupying and holding certain points on the frontier in anticipation of the movements of the enemy. Upon the death of his superior officer, Colonel Fry, which occurred shortly afterwards, the command of the regiment (now reinforced by two companies of regulars), and the whole responsibility of the important expedition devolved upon the youthful Colonel Washington, then about twenty-two years of age. It is not within the design of this sketch to give the details of the steady progress of this remarkable Virginian towards that eminence which made him not only "first in the hearts of his countrymen," but the admiration of the civilized world. Suffice it to say here, that the heroism of the sturdy little corps in this expedition, was sufficient to secure from the Legislature a vote of thanks to Colonel Washington and his subordinate officers, besides the distribution of a handsome bounty to the soldiery.

"It was strange," says a noted English writer, "that

in a savage forest of Pennsylvania, a young Virginian officer should fire a shot, and waken up a war which was to last for sixty years; which was to cover his own country and pass into Europe; to cost France her American colonies, to sever England from hers, and create the great Western Republic; to rage over the Old World when extinguished in the New; and of all the myriads engaged in the vast contest, to leave the prize of the greatest fame with him who struck the first blow."

In consequence of orders from the mother country, subordinating colonial officers to those commissioned by the king or his general in North America; Colonel Washington, unwilling to submit to such infringement upon military etiquette, retired to Mount Vernon,* an estate on the Potomac river which had recently been left him by his eldest half-brother. But Providence had not destined him for the avocations of private life. Soon he was induced to accompany General Braddock, as volunteer aide-de-camp, upon the memorable expedition to the West, which resulted so disastrously to that commander and his army, by reason of their ignorance of the usages of Indian warfare, and the General's disregard of Washington's counsels.—"Braddock's defeat" rang like a trumpet throughout

*Named in honor of Admiral Vernon, under whom its former owner had served in the expedition against Carthage.

Virginia; and the shameful desertion of the colony by Colonel Dunbar, with the remnant of Braddock's army, rendered it necessary for the Legislature to take prompt measures in levying troops for her defence. Then it was that Virginia turned again to her noblest son for aid; it being the general belief that Braddock's failure would have been avoided, had his advice been followed.* A regiment of sixteen companies was raised, and placed under command of Colonel Washington, who was also commissioned Commander-in-chief of all the forces raised and to be raised in the colony of Virginia; and with the almost unexampled privilege annexed, of selecting his own field officers.

The extreme distress of the frontiers; the alarm and demoralization of the settlers; the cross-purposes of Lord Loudoun, the British commander; and the vacillation of the Lieutenant-Governor and his council, rendered the position of Washington singularly

* The same uncle, Joseph Ball, in England, who had some eight years before written to Washington's mother, opposing his entering the navy, now wrote to him:—"It is a sensible pleasure to me to hear that you have behaved yourself with such a martial spirit, in all your engagements with the French, nigh Ohio. Go on as you have begun, and God prosper you. We have heard of General Braddock's defeat. Everybody blames his rash conduct. Everybody commends the courage of the Virginians and Carolina men, which is very agreeable to me. I desire you, as you may have opportunity, to give me a short account how you proceed." This letter was addressed: "To Major George Washington, at the Falls of Rappahannock, or elsewhere, in Virginia."

trying in those days of gloom and disaster. With an impatience which military men can readily appreciate, he beheld his plans thwarted, his efforts made abortive, and the French and their barbarous Indian allies almost without molestation steadily encroaching and fortifying themselves at various points along the border. Fort DuQuesne, which the French had erected at the confluence of the Alleghany and Monongahela rivers, was their main center of operations; and it was against this stronghold that Washington earnestly desired to strike a decisive blow, deeming it the key to the enemy's position.

In desperate case stood affairs, when, in 1758, "Lord Loudoun returned to England, and General Abercrombie succeeded to the command of the army. The department of the middle and southern provinces was committed to General Forbes, who, to the inexpressible gratification of Colonel Washington, determined to undertake an expedition against Fort DuQuesne." Upon the approach of the army commanded by General Forbes, which included the Virginia forces under Washington, the fort was fired and evacuated by the French, and without opposition taken possession of by the English; who rebuilt and named it Fort Pitt, in honor of the "great English commoner." The thriving city of Pittsburg now marks its site. It is due to candor to say, however, that the easy victory over the French which attended

this expedition, was owing especially to operations in other quarters which intercepted their supplies and re-enforcements.

Upon returning to Winchester, Col. Washington proceeded to Williamsburg to take his seat as member of the General Assembly from the county of Frederick. Shortly afterwards, owing to impaired health and other reasons of a private nature, he resigned his commission; and having married Mrs. Custis, a young widow lady to whom he had been for some time attached, he retired once more to the quiet scenes of private life.

As a member of the Virginia Assembly he took prominent part in the legislation of the colony, and was conspicuous for his early and decided opposition to the claims of undue supremacy asserted by Parliament over the colonies. He was elected one of the delegates to represent Virginia in the first Congress, which convened at Philadelphia; and soon rose to eminence as a member of that body of distinguished men. In the culmination of events, which called for a military leader, he was unanimously chosen, on the 14th of June, 1775, "General and Commander-in-Chief of the armies of the United Colonies, and all the forces now raised, or to be raised by them, and of all others who shall voluntarily offer their service, and join the said army for the defence of American liberty." The Congress which entrusted him with

this commission, was composed of "the delegates of the United Colonies of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the counties of Newcastle, Kent and Sussex on Delaware, Maryland, Virginia, North Carolina and South Carolina." Georgia, the thirteenth in the galaxy afterwards known as "the thirteen United Colonies," was not represented in this Congress until about a month afterwards.

In acknowledging the distinguished honor conferred upon him, General Washington modestly expressed his fears lest he should prove unequal to the vast responsibility which the office imposed; and declined to receive any compensation whatever, beyond the payment, by the Congress, of his actual expenses whilst engaged in their service.

Desiring to lose no time in setting about the gigantic undertaking, he proceeded at once to the head of the army then collecting in Massachusetts. He was met at Springfield by a deputation from the Provincial Congress of Massachusetts; and upon his arrival at the head-quarters of the army, an address of welcome was presented to him by the representatives of Massachusetts; to which, Virginia's son thus repended:

"GENTLEMEN—Your kind congratulations on my appointment and arrival, demand my warmest acknowledgments, and will be ever retained in grateful

remembrance. In exchanging the enjoyments of domestic life for the duties of my present honorable but arduous situation, I only emulate the virtue and public spirit of the whole Province of Massachusetts; which, with a firmness and patriotism without example, has sacrificed all the comforts of social and political life, in support of the rights of mankind, and the welfare of our common country. My highest ambition is to be the happy instrument of vindicating these rights, and to see this devoted Province again restored to peace, liberty, and safety."

The army which Washington found in Massachusetts consisted of 14,500 men; but the troops were mostly raw militia, destitute of tents, and for the most part of clothing; with unbayoneted guns and such other arms as they could lay hold of; an organized commissariat entirely wanting, and, in a word, all the appointments necessary for efficient military service, wofully defective. For example, it was found, upon inspection, that the supply of ammunition on hand was not adequate to furnish more than nine rounds to the man. What a force this, to encounter the thoroughly organized and equipped army under General Howe, strongly entrenched on Bunker's Hill and Roxbury Neck, and amply supported by marine batteries and war-ships! What a forlorn hope, apparently, to strike

the blow which was to inaugurate the existence of a mighty nation !

But these were not all, nor the worst of the embarrassments with which the commander-in-chief found himself surrounded. The constant clashing in the operations and appointments of the colonial and united governments, was productive not only of distressing delay and confusion, but of dissatisfaction amongst the officers, which induced many to retire, at this critical moment, from the service. But amid all these discouragements, the practised eye of their general quickly recognized that "stern stuff" of which, in the main, his army was made up. He saw too in his men, and felt stirring within his own bosom, an ardor and enthusiasm in behalf of a righteous and glorious cause, which could surmount all obstacles. And who may draw aside the veil from his inner life, and witness and tell of the earnest pleadings for guidance and patience and strength, which went up from the heart of this Christian soldier to that God whom he recognized as presiding over the destinies of men and nations?

The blockade of Boston was perseveringly maintained throughout the winter of 1775-6, with frequent skirmishes between small detachments of the confronting armies, but with no general engagement. By means of masterly strategy, the American general

gradually succeeded in hemming in the town upon the land side, until, in March, 1776, General Howe, with his army, evacuated Boston by sea, and the American troops triumphantly marched in and took possession. Whereupon Congress passed a vote of thanks to the general and his army "for their wise and spirited conduct in the siege and acquisition of Boston."

Passing over the stirring events now transpiring in every quarter of the country,—in Virginia, in North Carolina, and elsewhere,—and which are matters of history; our province is rather to follow the commander-in-chief. During the siege of Boston, Canada had been invaded by a small army of Americans sent from New York under General Schuyler, whose illness devolved the command upon General Montgomery; and Montreal had been surrendered by the Canadians into the hands of this force, without resistance. Anticipating that the troops of Canada would be occupied with the defence of Montreal, General Washington had planned an expedition against Quebec, and sent a detachment of 1,100 men up the Kennebec river under command of Colonel Benedict Arnold. The forces of Colonel Arnold having united with those under General Montgomery, a vigorous but unsuccessful attack was made upon Quebec, in which battle the commanding general, Montgomery, was killed;

and the Americans shortly afterwards retreated out of Canada.

As soon as the British fleet carrying the army of General Howe from Boston had put to sea, the American army, which had been engaged in the siege of Boston, marched to New York. General Washington foresaw that the colony of New York must become the seat of war; and, in view of the delay and difficulty which he had encountered in expelling the British from Boston, he determined, if possible, to prevent them from obtaining a similar foothold in the city of New York. Upon his arrival, he accordingly set about perfecting the defences of that important place. All available forces, including about 13,000 militia with which Congress at this time re-enforced his army, were massed in the neighborhood of New York city in permanent camp; whilst the defence of the adjacent country was sought to be effected, by the establishment of a flying camp of 10,000 men, to be furnished by the colonies of Pennsylvania, Delaware, and Maryland. Moreover, the commander-in-chief was empowered to raise forces of militia from the various colonies, for such additional temporary service as the exigencies of the common defence might require.

About this time, the disaffection amongst the inhabitants, under the leadership of the governor of the colony and the mayor of the city of New York, added

inconceivably to the difficulties of the situation. Two distinct plots were unearthed—the one, in New York city, and the other, in the city of Albany—to rise in favor of the British, and to seize and deliver up Gen'l Washington himself. After these plots were discovered, their evil influence was found to have extended to the American army, and even to the general's guards. Prompt and stringent measures were, however, adopted in the premises; and several of those concerned in the nefarious scheme forfeited their lives.

Meanwhile the current of events was demonstrating daily with greater certainty, the impracticability of a reconciliation between the colonies and their (as yet acknowledged) sovereign, George III. The vigorous and relentless prosecution of the war by Great Britain; the sacking and burning of defenceless cities and towns; the deaf ear persistently turned by the king and Parliament, to their petitions and remonstrances against unjust and oppressive laws:—these, with other causes, were rapidly moulding a desire for independence, and a sentiment of republicanism in the hearts of the American people, to which in the outset they were strangers. As late as June, 1775, the allegiance of the colonies to their "rightful sovereign King George III.," was formally recognized by a resolution of Congress, and even to a much later day the prayers of the church continued to be offered for the

king and royal family in the performance of divine service. From a whispered thought amongst a few far seeing ones, the idea of entire and permanent independence gradually became the general theme of conversation in field and at fireside, and more and more the general wish. Congress too, in their proceedings, reflected the temper of the people, and even took the lead, by educating the citizens and soldiers to look to Congress and the provincial assemblies as their rulers, rather than across the Atlantic as aforetime. Letters of marque and reprisal were granted; the American ports were opened to the commercial world; and, at length, on the 15th of May, 1776, a resolution was passed which was generally regarded as decisive of the question of separation from the mother country.

This resolution recommended to the various colonies the establishment of governments under written constitutions, and the declaration of their sovereignty as States. Resolutions were also passed declaring it treason for the citizens of the United Colonies to levy war against the same or any of them, or to adhere to the king of Great Britain, or other enemies of the said colonies.

Thus in its incipency stood American independence, when, upon the 7th of June, on the motion of Richard Henry Lee of Virginia, seconded by John

Adams of Massachusetts, a committee was appointed, and reported the following resolution:

“Resolved, That these United Colonies are, and of right ought to be, free and independent States; and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved.”

This resolution was referred to a committee of the whole, and was debated on Saturday the 8th, and Monday the 10th of June; whereupon the consideration of the question was adjourned to the 1st day of July. Meanwhile a committee consisting of Thomas Jefferson, John Adams, Benjamin Franklin, and R. R. Livingston, was appointed to draft the declaration of independence. Mr. Richard Henry Lee, though mover of the original resolution, was not placed upon this committee by reason of his absence on account of the sudden illness of his wife.

The adoption of the resolution, and of the declaration of independence reported by this committee—with some modifications,—caused great rejoicing and enthusiasm in the army, and gave fresh impetus to the struggle for liberty. The people in the western portion of the colony of North Carolina, had, it was said, more than a year previously, in May 1775, declared themselves free and independent; and Virginia, also, had done the same in June 1776: but this

crowning act of all the thirteen colonies in concert, stood forth to the world as a calm and deliberate abandonment of the idea of submission or retreat, and a determination to accept the issue with Great Britain as a grapple for life or death.

But, as if in mockery of the infant Republic, Gen'l Howe landed a formidable army on Staten Island upon the very day the defiant declaration was adopted; and thus, without a moment for preparation under the changed order of things, the arduous task devolved upon General Washington, of representing at sword's point and in council, a people determined to be free. No longer, now, did he stand upon the defensive merely, as the military leader and representative man of an armed resistance to unjust laws; but there was the superadded duty of aggressively carving out a name and place for his country among the nations of the earth. His, was the prominent, central figure in the glowing picture; towards him, the burning hearts of his countrymen turned with hope and expectation. As when a massive bulwark stands between the opposing lines of two contending hosts,—to these, a tower of defence, to those, an obstacle:—so, now, stood the noble form of Washington in the irreconcilable breach between his devoted country and her enemies; the hope of the one, and the barrier against the onslaught of the other!

The declaration of independence did not deter the British government from tardy efforts at pacification. General Howe, and his brother, Lord Howe, who commanded the British fleet, were constituted commissioners for restoring peace to the colonies, and were entrusted with arbitrary power in granting pardons, &c. Circular letters were distributed far and wide throughout the country, containing specious promises to those who would forsake the cause of American independence, and return to their allegiance to the crown. These letters, whilst captivating a wavering few, yet rather served to strengthen the purpose of the army and the thinking public; and the more so, when, a cotemporaneous insult was offered to the dignity of the United Colonies, in the shape of a letter containing overtures, sent under flag of truce from Lord Howe, and addressed to "George Washington, Esquire." Gen'l Washington declined receiving this letter, on the ground that "it did not acknowledge the public character with which he was invested by Congress; and in no other character could he have any intercourse with his lordship." It was then sought to mend the difficulty by returning the same letter addressed to "George Washington, &c., &c., &c." This, the general also declined to receive, stating that whilst "the *et ceteras* implied *everything*, they also implied *anything*;" and thus negotiations terminated.

This spirited action of the commander-in-chief was applauded by Congress, and evinced a degree of courage and resolution on his part, which was most remarkable, in view of the dangers which environed him and his little army at this particular time ; dangers, of which none had such full knowledge and startling perspective as himself. His orders to his army issued about this time, show how fully he realized the difficulty of holding, against such odds, the important positions he then occupied ; the damage the cause of liberty would sustain in the loss of these positions ; and the demoralization the army itself would suffer in the event of defeat, or even partial success in the impending conflict. "The time," he says, "is now near at hand, which must determine whether Americans are to be freemen or slaves ; whether they are to have any property they can call their own ; whether their houses and farms are to be pillaged and destroyed, and themselves consigned to a state of wretchedness from which no human efforts will deliver them. The fate of unborn millions will now depend, under God, on the courage and conduct of this army. Our cruel and unrelenting enemy leaves us only the choice of a brave resistance, or the most abject submission. We have therefore to resolve to conquer or die. Our own, our country's honor, call upon us for a vigorous and manly exertion ; and if we now shamefully fail, we shall become

infamous to the whole world. Let us then rely on the goodness of our cause and the aid of the Supreme Being, in whose hands victory is, to animate and encourage us to great and noble actions. The eyes of all our countrymen are now upon us, and we shall have their blessings and praises, if happily we are the instruments of saving them from the tyranny meditated against them. Let us therefore animate and encourage each other, and show the whole world that a freeman contending for liberty, on his own ground, is superior to any slavish mercenary on earth."

The battle and defeat of Brooklyn; the evacuation of New York which shortly followed; and the retreat before the British through New Jersey, had added to the strength of toryism, and disheartened the army to such an extent as to reduce affairs to a supremely desperate state in all quarters. Congress, which was in session at Philadelphia, adjourned in haste to the city of Baltimore; and in this crisis, General Washington was invested with powers little short of absolute. With scarcely a ray of light to illumine this darkened hour, (unless the repulse of the British at Fort Moultrie, on the coast of South Carolina, could be so regarded); in a portion of the country illy adapted to protect a retreating army; among a people far from zealous in the cause; in imminent danger

of being hemmed in between the Passaic and Hackensack rivers, at a season of the year when streams are most swollen and difficult to cross; with no reasonable hope of any re-enforcements whatever, to share or relieve the incredible hardships of his men; and with even the forces he had in the field, rapidly melting away upon the expiration of the term of service for which they had enlisted: yet, did not the heart of this noble man even then despond; nor did his energies relax for one moment in pushing forward the interests of a cause in which he had enlisted his honor and his life.

The drooping spirits of his army and people, however, convinced him that at any hazard, he must in some way speedily retrieve their recent reverses, and the evils resulting from them. Consequently, he determined to make a bold and sudden stroke, which should not only restore the waning confidence of his own troops, but at the same time check the ardor of his exultant enemies. Learning that a force of the British, some fifteen hundred strong, was posted at Trenton, under command of Colonel Rawle, he determined to capture them. He accordingly, on Christmas night, made his memorable passage with his army, across the Delaware river, through snow, and hail, and rain; the freezing waters and floating ice; and, making a rapid march to Trenton, fell like a thunder-bolt upon the astonished Colonel Rawle; and,

after a short and almost bloodless fight, captured the whole detachment, together with their baggage and stores. It is worthy of note, that one of the few casualties of this fight, on the American side, was the wounding of Lieutenant James Monroe of the Third Virginia Regiment, who afterwards became President of the United States.

The plan of General Washington had embraced simultaneous attacks, at various points along the Delaware river; but the inclemency of the season prevented the necessary combinations, and consequently no part of his plan was accomplished, save this brilliant exploit of the force which he commanded in person. The happiest effects, however, flowed from this. Besides reviving the hopes of the Americans, which had, with much show of reason, sunk to the lowest ebb; this bold and successful enterprise convinced Lord Cornwallis, the British commander, that the war was not yet virtually ended, as he fondly hoped and believed; and moreover taught him that he was contending with an adversary not unworthy of his best attention.

The concentration of the British troops which followed, however, again placed General Washington in an extremely critical situation. His army, all told, did not much exceed five thousand men; a force so vastly inferior to the enemy, as to render destruction almost certain, in the event of immediate attack. Retreat in

the face of the advancing foe was not to be thought of for a moment, lest the depression of the public mind should return, and recruiting entirely cease. The bold design was accordingly formed, of passing unexpectedly to the rear of the British army, and destroying in detail, if possible, the forces posted at Princeton and other points in New Jersey; and then by a rapid movement to capture Brunswick, where the baggage and principal magazines of the enemy were located.

Expecting attack at day-light the following morning, the American camp-fires were kept burning during the night; sentinels were posted, and the officers ostentatiously went the rounds along the lines; whilst the army silently decamped and moved in the night to the rear of the unsuspecting foe, towards Princeton. About sunrise the little band of Americans encountered a considerable force of the British, moving forward to support Lord Cornwallis in his meditated attack. These were, with some difficulty and loss of time, beaten and put to flight; and the interrupted march resumed towards Princeton; which, after vigorous resistance was captured. Meanwhile, Lord Cornwallis had quickly divined the plan of General Washington, when he found, in the morning, the American army no longer in his front. Alarmed for the safety of his valuable stores at Brunswick, he marched with the utmost expedition to intercept the

movement against that place, and nearly overtook the wearied and foot-sore Americans at Princeton.

General Washington finding that his troops could not then undergo further service and exposure, or, in their enfeebled condition, cope with the powerful army of Cornwallis, determined to discontinue offensive operations until his men could be given rest and repose. He accordingly turned aside, and went into winter quarters at Morristown; whilst Lord Cornwallis was content to pursue his march to Brunswick.

The benefits which accrued to the American cause from these bold enterprises against Trenton and Princeton were incalculable. The city of Philadelphia, and the state of New Jersey were saved for the time being; the ardor and confidence of the army and people were aroused to an unprecedented pitch; and recruiting was pushed vigorously forward throughout the whole country. But more than all, the results of these decisive blows encouraged and stimulated the enrolment and equipment of a permanent regular army for the approaching campaign, instead of the raw militia and volunteers on short terms of enlistment, with which the war had thus far been uncertainly prosecuted. And the Congress, in session in Baltimore, "declaring that in the present state of things, the very existence of civil liberty depended upon the right execution of military powers, to a vig-

orous direction of which, distant, numerous and deliberative bodies were unequal; authorized General Washington to raise sixteen additional regiments, and conferred upon him for six months, almost unlimited powers for the conduct of the war."

The disastrous campaign which followed—involving the defeat at Brandywine in September, 1777, and at Germantown in October of that year; and with the dreadful suffering and exposure of the army during the winter at Valley Forge, as its melancholy sequel, was sufficiently discouraging. However, the successful resistance of Burgoyne's powerful invasion in the North, by other gallant spirits, and the series of brilliant victories which attended that resistance, served to offset, in some measure at least, the reverses elsewhere. The adoption of Articles of Confederation by Congress, too, helped to nerve the patriot arm, albeit the respective states had not yet ratified it; whilst the recognition of American independence, and the promise of assistance by the government of France, was doubtless, under Providence, the crowning act which upheld the cause of liberty at this time.

With varying fortunes the war progressed, both in the North and in the South, until the invasion of Virginia, early in the year 1781, by the concentrated forces under Lord Cornwallis. These movements of the enemy in Virginia had been watched with anxious vigilance by the commander-in-chief, until the


blunders of the British general, and the adroit improvement of those blunders to the advantage of the American cause, by Lafayette and others, at length determined Washington to take personal command of that department of the army. Accordingly, General Heath was left in command of the forces in New York, whilst General Washington, with a considerable force of French and Americans, proceeded to Virginia in September 1781. Although this southward movement was commenced about the middle of August, yet so skilfully and secretly were Washington's dispositions made—by means of feints and otherwise—that it was not until the 2d of September that Sir Henry Clinton wrote from New York to Cornwallis,—“By intelligence I have this day received, it would seem that Washington is moving southward.”

The resolute little army, with its idolized commander, therefore made good its rapid march from North to South, without obstruction;—a good omen of the glorious achievement that was so soon to crown its efforts!

The siege of Yorktown, and the surrender of the entire force under Cornwallis, on the 19th of October, constituted the turning point of the war. Although hostilities continued, in a desultory way, in Georgia and the Carolinas, and other parts of the country, throughout the following year; yet the decisive blow

had been struck at Yorktown; and negotiations for peace were meanwhile going on, until the 20th of January, 1783, when preliminary articles were signed between Great Britain, France, and Spain: and a cessation of hostilities in America, was formally proclaimed, on the 19th of April following.

The war being over,—a war which had baptized in the blood of many of her bravest sons, the infant republic;—it now remained to be demonstrated, whether a Cæsar or Cromwell had been developed, under the demoralizing influences of revolution and high command; or whether the star of empire in the West, had pointed out a saviour. His own words best speak the mind and character of the man, at this juncture of his own, and his country's, existence. "At length, my dear Marquis," wrote he to Lafayette, "I have become a private citizen on the banks of the Potomac; and under the shadow of my own vine, and my own fig tree, free from the bustle of a camp, and the busy scenes of public life, I am solacing myself with those tranquil enjoyments, of which the soldier who is ever in pursuit of fame—the statesman whose watchful days and sleepless nights are spent in devising schemes to promote the welfare of his own—perhaps the ruin of other countries, as if this globe was insufficient for us all—and the courtier who is always watching the countenance of his prince in the hope of



catching a gracious smile—can have very little conception. I have not only retired from all public employments, but am retiring within myself, and shall be able to view the solitary walk, and tread the paths of private life, with heartfelt satisfaction. Envious of none, I am determined to be pleased with all; and this, my dear friend, being the order of my march, I will move gently down the stream of life, until I sleep with my fathers.”

The affecting scene of his parting with those gallant men who had been his faithful comrades in arms, is thus described by his biographer, Chief Justice Marshall.

“On the 4th day of December, 1783, at noon, the principal officers of the army assembled at Frances’ tavern, soon after which, their beloved commander entered the room. His emotions were too strong to be concealed. Filling a glass, he turned to them and said,—‘With a heart full of love and gratitude, I now take leave of you; I most devoutly wish that your latter days may be as prosperous and happy, as your former ones have been glorious and honorable.’ Having drunk, he added, ‘I cannot come to each of you to take my leave, but shall be obliged if each of you will come and take me by the hand.’ General Knox, being nearest, turned to him. Washington, incapable of utterance, grasped his hand, and em-

braced him. In the same affectionate manner he took leave of each succeeding officer. The tear of manly sensibility was in every eye; and not a word was articulated to interrupt the dignified silence, and the tenderness of the scene."

Later in the same month his resignation of his commission as commander-in-chief, was offered to Congress, then in session at Annapolis, in the state of Maryland. "When the hour arrived for performing a ceremony so well calculated to recall the various interesting scenes which had passed since the commission now to be returned was granted, the gallery was crowded with spectators, and several persons of distinction were admitted on the floor of Congress. The members remained seated and covered. The spectators were standing and uncovered. The general was introduced by the secretary, and conducted to a chair. After a short pause, the president informed him that 'The United States in Congress assembled were prepared to receive his communications.' With native dignity improved by the solemnity of the occasion, the general rose and delivered the following address.

'MR. PRESIDENT,—The great events on which my resignation depended, having at length taken place, I have now the honor of offering my sincere congratulations to Congress, and of presenting myself before

them, to surrender into their hands the trust committed to me, and to claim the indulgence of retiring from the service of my country.

‘Happy in the confirmation of our independence and sovereignty, and pleased with the opportunity afforded the United States of becoming a respectable nation, I resign with satisfaction the appointment I accepted with diffidence; a diffidence in my abilities to accomplish so arduous a task, which, however, was superseded by a confidence in the rectitude of our cause, the support of the supreme power of the union, and the patronage of heaven.

‘The successful termination of the war has verified the most sanguine expectations; and my gratitude for the interposition of Providence, and the assistance I have received from my countrymen, increases with every review of the momentous contest.

‘While I repeat my obligations to the army in general, I should do injustice to my own feelings not to acknowledge in this place, the peculiar services and distinguished merits of the gentlemen who have been attached to my person during the war. It was impossible the choice of confidential officers to compose my family should have been more fortunate. Permit me, sir, to recommend in particular, those who have continued in the service to the present moment, as worthy of the favorable notice and patronage of Congress.

‘I consider it as an indispensable duty to close this last act of my official life, by commending the interests of our dearest country to the protection of Almighty God, and those who have the superintendence of them to his holy keeping.

‘Having now finished the work assigned me, I retire from the great theatre of action, and, bidding an affectionate farewell to this august body, under whose orders I have so long acted, I here offer my commission, and take my leave of all the employments of public life.’

“After advancing to the chair and delivering his commission to the president, he returned to his place, and received standing, the following answer of Congress, which was delivered by the president :

‘SIR—The United States, in Congress assembled, receive with emotions, too affecting for utterance, the solemn resignation of the authorities under which you have led their troops with success through a perilous and a doubtful war. Called upon by your country to defend its invaded rights, you accepted the sacred charge before it had formed alliances, and whilst it was without funds or a government to support you. You have conducted the great military contest with wisdom and fortitude, invariably regarding the rights of the civil power, through all disasters and changes. You have by the love and confidence

of your fellow-citizens, enabled them to display their martial genius, and transmit their fame to posterity. You have persevered until these United States, aided by a magnanimous king and nation, have been enabled, under a just Providence, to close the war in freedom, safety and independence; on which happy event we sincerely join you in congratulations.

‘Having defended the standard of liberty in this new world, having taught a lesson useful to those who inflict and to those who feel oppression, you retire from the great theatre of action with the blessings of your fellow-citizens. But the glory of your virtues will not terminate with your military command; it will continue to animate remotest ages.

‘We feel with you our obligations to the army in general, and will particularly charge ourselves with the interests of those confidential officers who have attended your person to this affecting moment.

‘We join you in commending the interests of our dearest country to the protection of Almighty God, beseeching him to dispose the hearts and minds of its citizens, to improve the opportunity afforded them of becoming a happy and respectable nation. And for you, we address to him our earnest prayers that a life so beloved, may be fostered with all his care; that your days may be as happy as they have been illustrious; and that he will finally give you that reward which this world cannot give.’

.

"This scene being closed, a scene rendered peculiarly interesting by the personages who appeared in it, by the great events it recalled to the memory, and by the singularity of the circumstances under which it was displayed, the American chief withdrew from the hall of Congress, leaving the silent and admiring spectators deeply impressed with those sentiments which its solemnity and dignity were calculated to inspire.

"Divested of his military character, General Washington retired to Mount Vernon, followed by the enthusiastic love, esteem, and admiration of his countrymen."

And thus beautifully, the same elegant writer continues:—"When an individual, long in possession of great power, and almost unlimited influence, retires from office with alacrity, and resumes the character of a private citizen with pleasure, the mind is gratified in contemplating the example of virtuous moderation, and dwells upon it with approving satisfaction. We look at man in his most estimable character; and this view of him exalts our opinion of human nature. Such was the example exhibited by General Washington to his country and to the world. His deportment, and his language, equally attest that he returned with these feelings to the employments of private life."

But now albeit returned to the quietude of private

life, relieved of the responsibilities of official station, and far removed from the stirring scenes which his own prowess and virtues had rendered glorious; yet the active mind of Washington could not find an ample field for its play, in the rural pursuits which engaged him. Nor, indeed, could his country, or the world at large, permit such a man to pass into seclusion. Letters from personal friends, from fellow-countrymen personally unknown to him, and even from those in foreign lands who were strangers to all but his fame, commenced to pour in upon him. Resolutions too, and complimentary addresses from legislatures and other public assemblies, attested that in his case, even a republic was not ungrateful. The Congress of the United States unanimously voted him an equestrian statue of bronze, to be erected at the seat of government; and the legislature of Virginia passed the following resolution:

“Resolved, That the executive be requested to take measures for procuring a statue of General Washington, to be of the finest marble and best workmanship, with the following inscription on its pedestal:

“The general assembly of the commonwealth of Virginia have caused this statue to be erected as a monument of affection and gratitude to GEORGE WASHINGTON, who, uniting to the endowments of the HERO, the virtues of the PATRIOT, and exerting both in

establishing the liberties of his country, has rendered his name dear to his fellow-citizens, and given the world an immortal example of true glory."

The beautiful work of art, which is the result of this resolution, yet stands in the capitol at Richmond, an enduring memorial of Virginia's reverence and affection for her son: but who shall make up the record of those shameful and shameless political orgies there, of which, the calm benignant countenance of Washington, speaking from the imperishable stone, has, in later times, been the witness? And could the lips of Lafayette, from his bust in an adjacent niche, speak in unison with his chief the reproaches which such recital would deserve; oh! what Virginian, nay, what *American* even, would not weep to hear them?

Amid the employments of private business and extensive correspondence, and the reception and entertainment of many visitors, General Washington yet found time to revive and push forward, about this time, a scheme for the welfare of his native state, and his country, which had, earlier in his life, engaged his attention, but from which the war had necessarily diverted him and others who were interested in it. The project of bringing the trade of the West to the Atlantic seaboard by the navigation of the Potomac, the James, and other available streams, had been long attracting the attention of engineers and statesmen;

among whom, the most prominent and interested was Washington himself. In fact he is believed to have been the originator of the idea, notwithstanding some have supposed that Governor Alexander Spotswood had thought of it, when, in 1716, he had made an excursion across the Blue Ridge into the "howling wilderness" which then lay beyond. General Washington's plans, though starting in his native commonwealth, embraced the water-courses of the entire country. He made a tour of inspection himself through New England and New York, with the view of interesting the inhabitants of those sections in the work. It was also his avowed intention to explore the great and then almost unknown West, for the promotion of the same object of general inland navigation; and to this end he actually made an excursion as far west as Pittsburg in the Autumn of 1784.

At the instance of Mr. Jefferson he was induced to accept the presidency of the companies organized for the navigation of the Potomac and James rivers; and in this connection occurred an incident which severely tested the exalted principles of his character, and presents a striking contrast with the laxity of many of the men of our own times. After the passage of the act for the improvement of the James, and of concurrent acts by the general assemblies of Maryland and Virginia, confirming the organization for the navigation of the Potomac river; a bill, drawn by James

Madison, was introduced, and passed by a unanimous vote of both houses of the Virginia Assembly, "authorizing the treasurer to subscribe for the benefit of General Washington, the same number of shares in each company, as were to be taken by the State." The complimentary preamble of the bill was as follows:

"Whereas it is the desire of the representatives of this commonwealth to embrace every suitable occasion of testifying their sense of the unexampled merits of George Washington, esquire, towards his country, and it is their wish in particular that those great works for its improvement, which, both as springing from the liberty which he has been so instrumental in establishing, and as encouraged by his patronage, will be durable monuments of his glory, may be made monuments also of the gratitude of his country: Be it enacted," &c.

When it is remembered that Washington was not a wealthy man, but that (as he, about this time, wrote to a friend,) his private affairs could "no longer be neglected without involving his ruin;" that he had received no compensation from Congress as commander-in-chief, but only his actual necessary expenses incurred in the service; and that he was now but a Virginia farmer, and dependent on his farm for subsistence: when all these circumstances are borne in

mind, his refusal of this voluntary and deserved tribute from the commonwealth which owed him so much, is one of the most remarkable instances of noble disinterestedness on record.

His letters on this subject to his friend Mr. Madison, and through the governor, to the legislature of Virginia, declining the proffered gift, are worthy to be treasured in the memory of Virginians, and of good men everywhere. To Mr. Madison he wrote:—"It is not easy for me to decide by which my mind was most affected upon the receipt of your letter of the sixth instant—surprise or gratitude. Both were greater than I had words to express. The attention and good wishes which the assembly has evidenced by their act for vesting in me one hundred and fifty shares in the navigation of the rivers Potomac and James, is more than mere compliment,—there is an unequivocal and substantial meaning annexed. But, believe me, sir, no circumstance has happened since I left the walks of public life which has so much embarrassed me. On the one hand, I consider this act, as I have already observed, as a noble and unequivocal proof of the good opinion, the affection, and disposition of my country to serve me; and I should be hurt, if by declining the acceptance of it, my refusal should be construed into disrespect, or the smallest slight upon the generous intention of the legislature; or that an

ostentatious display of disinterestedness, or public virtue, was the source of refusal.

“On the other hand, it is really my wish to have my mind and my actions, which are the result of reflection, as free and independent as the air, that I may be more at liberty (in things which my opportunities and experience have brought me to the knowledge of,) to express my sentiments, and if necessary, to suggest what may occur to me, under the fullest conviction that, although my judgment may be arraigned, there will be no suspicion that sinister motives had the smallest influence in the suggestion. Not content then with the bare consciousness of my having in all this navigation business, acted upon the clearest conviction of the political importance of the measure, I would wish that every individual who may hear that it was a favorite plan of mine, may know also, that I had no other motive for promoting it, than the advantage of which I conceived it would be productive to the union at large, and to this state in particular, by connecting the eastern and western territory together, at the same time that it will give vigour and increase to our commerce, and be a convenience to our citizens.”

His letter on the same subject to the governor is as follows :

“Your excellency having been pleased to transmit

me a copy of the act appropriating to my benefit certain shares in the companies for opening the navigation of James and Potomac rivers, I take the liberty of returning to the general assembly, through your hands, the profound and grateful acknowledgments inspired by so signal a mark of their beneficent intentions towards me. I beg you, sir, to assure them, that I am filled on this occasion with every sentiment which can flow from a heart warm with love for my country, sensible to every token of its approbation and affection, and solicitous to testify in every instance a respectful submission to its wishes.

“With these sentiments in my bosom, I need not dwell on the anxiety I feel in being obliged, in this instance, to decline a favour which is rendered no less flattering by the manner in which it is conveyed, than it is affectionate in itself. In explaining this, I pass over a comparison of my endeavors in the public service, with the many honorable testimonies of approbation which have already so far overrated and overpaid them—reciting one consideration only which supersedes the necessity of recurring to every other.

“When I was first called to the station with which I was honored during the late conflict for our liberties, to the diffidence which I had so many reasons to feel in accepting it, I thought it my duty to join a firm resolution to shut my hand against any pecuniary recompense. To this resolution I have invariably ad-

hered, and from it (if I had the inclination) I do not consider myself at liberty now to depart.

“Whilst I repeat, therefore, my fervent acknowledgments to the legislature, for their very kind sentiments and intentions in my favour, and at the same time beg them to be persuaded that a remembrance of this singular proof of their goodness towards me, will never cease to cherish returns of the warmest affection and gratitude, I must pray that their act, so far as it has for its object my personal emolument, may not have its effect; but if it should please the general assembly to permit me to turn the destination of the fund vested in me, from my private emolument, to objects of a public nature, it will be my study, in selecting these, to prove the sincerity of my gratitude for the honour conferred upon me, by preferring such as may appear most subservient to the enlightened and patriotic views of the legislature.”

The hundred shares of stock in the James river improvement, valued at \$50,000, which had been vested by the legislature in General Washington, by the above-mentioned Act, were donated by him as an endowment to Liberty Hall Academy, a Presbyterian school in Rockbridge county, Virginia. Thereupon the name of that institution was changed to Washington Academy, and afterwards, in 1812, to Washington College. It has now assumed the dignity and proportions of a second university in “The Old Do-

minion," styled Washington and Lee University. May its last foundation upon the combined names of those two Virginians, George Washington and Robert E. Lee,—the one a hero in success, the other a no less hero in misfortune,—prove an augury of its permanency and progress; drawing, as it were, its inspiration, like "sunset skies and starry nights," from the tints of commingled light and shadow!

It would be profitless now to discuss, how far the consummation of these plans of Washington for general river navigation, was frustrated by the condition of the country, then unrecovered from the exhaustion incident to protracted warfare, and by the engrossed attention of the best and wisest citizens, in the task of building up a fabric of government, which should hand down to succeeding generations the glorious fruits of the war; nor need we stop here to enquire, how far the advance of science may have superseded such enterprises. However this may be, the schemes for the advancement of his country's prosperity, which occupied the mind of Washington in those days, even now appear worthy of execution to many of the wisest of those who live in the times of the sequel. Viewed from *his* standpoint there can be no doubt that his efforts and purposes in this behalf, deserve our unqualified commendation.

But more vital questions than these concerns of

peace, were now forcing themselves upon the attention of Washington. Differences, which might bring serious consequences, were springing up between the United States and Great Britain, in respect to observance of treaties. Moreover, a system of government which had sufficed to carry successfully through the conflict of arms, a people knit together by a common peril; was now beginning to show itself manifestly incapable of controlling the lawlessness and selfishness which, if not engendered by war, at least inevitably follow in its train. The public debt, with its accumulated arrearages of interest, was imposing a load of taxation upon a people not only impoverished, but wearied to impatience by the long continued pressure of war. Local jealousies among some of the states, and dissatisfactions among the people, were threatening to undermine the slender foundations on which the confederation rested. There was an insurrectionary spirit abroad in New England; and especially in the state of Massachusetts, where an insurgent army of considerable strength arose, and had to be put down by the government after the spilling of some rebellious blood. General Knox, having been sent to enquire into the causes and extent of the disaffection, reported,—“a majority of the people of Massachusetts are in opposition to the government. Some of the leaders avow the subversion of it to be their object, together with the abolition of debts, the

division of property, and a reunion with Great Britain."

Five other states besides herself, viz: New York, New Jersey, Pennsylvania, Delaware and Maryland; had responded to a call of Virginia for a convention to meet at Annapolis, Maryland, to take into consideration the commercial needs and relations of the United States. This convention, perceiving, in the course of the discussions which took place in it, that a thorough revision of the federal system was necessary for the peace and safety of the country; recommended that delegates be sent from the various states, to meet in convention in the city of Philadelphia, to consider of that matter. General Washington was unanimously elected a member of the Virginia delegation; and, upon the assembling of the convention, was unanimously chosen its presiding officer. The results of the proceedings of that important body are such common matters of history, that they need not be dwelt upon here.

Upon the adoption of the Constitution—that new invention of the American political fathers, a *written* Constitution—which put the government upon a substantial basis of powers, which, while specifically defined and restricted, were yet extensive enough for its needs; the eyes of the whole country at once turned to Washington for the office of chief magistrate. The high esteem in which he was held seemed universal,

and the sentiments which may be gleaned from the correspondence of his friends on the subject, exhibit a state of feeling and a popularity which perhaps no other human being ever inspired. A letter from Mr. Johnson, a distinguished statesman of Maryland, said: "We cannot do without you, and I, and thousands more can explain to anybody but yourself, why we cannot do without you." Said Gouverneur Morris of New York: "I have ever thought, and have ever said, that you must be president; no other man can fill that office. No other man can draw forth the abilities of our country into the various departments of civil life. You alone can awe the insolence of opposing factions, and the greater insolence of assuming adherents. . . . As to your feelings on this occasion, they are, I know, both deep and affecting; you embark property most precious on a most tempestuous ocean; for, as you possess the highest reputation, so you expose it to the perilous chance of popular opinion. On the other hand, you will, I firmly expect, enjoy the inexpressible felicity of contributing to the happiness of all your countrymen. You will become the father of more than three millions of children; and while your bosom glows with parental tenderness; in theirs, or at least in a majority of them, you will excite the dutious sentiments of filial affection. . . . I form my conclusions from those talents and virtues which the world *believes*, and which your friends *know* you

possess." One of Alexander Hamilton's letters to General Washington stated: "I feel a conviction that you will finally see your acceptance to be indispensable. It is no compliment to say that no other man can sufficiently unite the public opinion, or can give the requisite weight to the office, in the commencement of the government. These considerations appear to me of themselves decisive. I am not sure that your refusal would not throw everything into confusion. I am sure that it would have the worst effect imaginable. Indeed, as I hinted in a former letter, I think circumstances leave no option." Colonel Lee, of Virginia, wrote: "My anxiety is extreme that the new government may have an auspicious beginning. To effect this, and to perpetuate a nation formed under your auspices, it is certain that again you will be called forth. The same principles of devotion to the good of mankind, which have invariably governed your conduct, will no doubt continue to rule your mind, however opposite their consequences may be to your repose and happiness. It may be wrong, but I cannot suppress, in my wishes for national felicity, a due regard for your personal fame and content. If the same success should attend your efforts on this important occasion, which has distinguished you hitherto, then, to be sure, you will have spent a life which Providence rarely, if ever before, gave to the lot of one man. It is my anxious hope, it is my belief, that

this will be the case; but all things are uncertain, and perhaps nothing more so than political events. . . .
. . . It would certainly be unpleasant to you, and obnoxious to all who feel for your just fame, to see you at the head of a trembling system. It is a sacrifice on your part unjustifiable in any point of view. But on the other hand no alternative seems to be presented. Without you, the government can have but little chance of success; and the people, of that happiness which its prosperity must yield."

An extract from General Washington's reply to Colonel Lee's letter cannot fail to be interesting at this point, as showing the pure and exalted character of the inner life of this wonderful man. He says:—

"The principal topic of your letter, is to me a point of great delicacy indeed, insomuch that I can scarcely, without some impropriety, touch upon it. In the first place, the event to which you allude may never happen, among other reasons, because, if the partiality of my fellow-citizens conceive it to be a means by which the sinews of the new government would be strengthened, it will of consequence be obnoxious to those who are in opposition to it, many of whom, unquestionably, will be placed among the electors. This consideration alone would supersede the expediency of announcing any definitive and irrevocable resolution. You are among the small

number of those who know my invincible attachment to domestic life, and that my sincerest wish is to continue in the enjoyment of it solely, until my final hour. But the world would be neither so well instructed, nor so candidly disposed, as to believe me to be uninfluenced by sinister motives, in case any circumstance should render a deviation from the line of conduct I had prescribed for myself, indispensable. Should the contingency you suggest take place, and (for argument sake alone, let me say) should my unfeigned reluctance to accept the office be overcome by a deference for the reasons and opinions of my friends; might I not, after the declarations I have made (and heaven knows they were made in the sincerity of my heart), in the judgment of the impartial world, and of posterity, be chargeable with levity and inconsistency, if not with rashness and ambition? Nay, farther, would there not even be some apparent foundation for the two former charges? Now, justice to myself, and tranquility of conscience, require that I should act a part, if not above imputation, at least capable of vindication. Nor will you conceive me to be too solicitous for reputation. Though I prize as I ought the good opinion of my fellow citizens, yet, if I know myself, I would not seek or retain popularity at the expense of one social duty, or moral virtue. While doing what my conscience informed me was right, as it respected my God, my country, and myself,

4

I could despise all the party clamour and unjust censure, which must be expected from some, whose personal enmity might be occasioned by their hostility to the government. I am conscious, that I fear alone to give any real occasion for obloquy, and that I do not dread to meet with unmerited reproach. And certain I am, whensoever I shall be convinced the good of my country requires my reputation to be put in risque, regard for my own fame will not come in competition with an object of so much magnitude.

“If I declined the task it would be upon quite another principle. Notwithstanding my advanced season of life, my increasing fondness for agricultural amusements, and my growing love of retirement, augment and confirm my decided predilection for the character of a private citizen, yet it will be no one of these motives, nor the hazard to which my former reputation might be exposed, or the terror of encountering new fatigues and troubles, that would deter me from an acceptance;—but a belief that some other person, who had less pretense and less inclination to be excused, could execute all the duties full as satisfactorily as myself. To say more would be indiscreet; as a disclosure of a refusal beforehand might incur the application of the fable, in which the fox is represented as undervaluing the grapes he could not reach. You will perceive, my dear sir, by what is here observed (and which you will be pleased to consider in

the light of a confidential communication), that my inclinations will dispose and decide me to remain as I am, unless a clear and insurmountable conviction should be impressed on my mind, that some very disagreeable consequences must in all human probability result from the indulgence of my wishes."

It would be difficult to conceive a nobler personal character, than this confidential letter of Washington to an intimate friend discloses. His utter abandonment of selfish considerations, as affecting him personally or relatively; and his calm fearless resolve and readiness to surrender to the call of recognized duty, without regard to cost or consequence, present a picture of manhood to a carping world, which the annals of human nature cannot surpass, perhaps cannot equal. Well would it be for the "young Americanism" of the present day, to pause and ponder, rather than criticize the speaking canvas!

After the popular election for President of the United States had taken place, but before the result was definitely known, the election of Washington was so apparent, that many applications were, even at that time, made to him, for preferment and office. To one of these applicants he, thus strikingly, wrote:—

"Should it become absolutely necessary for me to occupy the station in which your letter pre-supposes me, I have determined to go into it perfectly free

from all engagements of every nature whatsoever. A conduct in conformity to this resolution, would enable me, in balancing the various pretensions of different candidates for appointments, to act with a sole reference to justice and the public good. This is, in substance, the answer that I have given to all applications (and they are not few) which have already been made. Among the places sought after in these applications, I must not conceal that the office to which you particularly allude is comprehended. This fact I tell you merely as matter of information. My general manner of thinking, as to the propriety of holding myself totally disengaged, will apologize for my not enlarging farther on the subject."

When the votes of the electors from the various states were opened and counted in the Senate, the result was found to be that the election of Washington, to the highest office in the gift of his countrymen, was *unanimous!* "Neither the animosity of parties, nor the preponderance of the enemies of the new government in some of the states, could deprive him of a single vote. By the unanimous voice of an immense continent, he was called to the chief magistracy of the nation."

John Adams of Massachusetts was chosen Vice President, and the term of office of this administration was to be four years, beginning March 4th, 1789.

The career of Washington as President of the

United States, being rather a matter of national than of personal history, will here be passed over. His unanimous re-election, however, for an additional four years, at the expiration of his first term, bears ample testimony to his efficiency and acceptability to the country.

The spirit in which he entered upon the duties of his office, is shown by the following extract from his first message to Congress:

“To the preceding observations I have one to add, which will be most properly addressed to the house of representatives. It concerns myself, and I will therefore be as brief as possible. When I was first honoured with a call into the service of my country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed. And being still under the impressions which produced it, I must decline, as inapplicable to myself, any share in the personal emoluments which may be indispensably included in a permanent provision for the executive department; and must accordingly pray that the pecuniary estimates for the station in which I am placed, may, during my continuance in it, be limited to such actual expenditures as the public good may be thought to require.”

The glowing answer of the house of representatives recites, among other things, that "the representatives of the people of the United States present their congratulations on the event by which your fellow-citizens have attested the pre-eminence of your merit. You have long held the first place in their esteem. You have often received tokens of their affection. You now possess the only proof that remained of their gratitude for your services, of their reverence for your wisdom, and of their confidence in your virtues. You enjoy the highest, because the truest honour, of being the first magistrate, by the unanimous choice of the freest people on the face of the earth. . . . Such are the sentiments with which we have thought fit to address you. They flow from our hearts, and we verily believe that among the millions we represent there is not a virtuous citizen whose heart will disown them."

•

Says Francis Hopkinson (one of the signers of the declaration of independence), in his "Political Catechism,"* when answering the question—*What is the character of HIS EXCELLENCY GENERAL WASHINGTON?* "To him the title of *Excellency* is applied with peculiar propriety. He is the best and the greatest man the world ever knew. In private life, he wins the hearts and wears the love of all who are so happy as

* Written in 1777.

to fall within the circle of his acquaintance. In his public character, he commands universal respect and admiration. Conscious that the principles on which he acts are indeed founded in virtue and truth, he steadily pursues the arduous work with a mind neither depressed by disappointments and difficulties, nor elated with temporary success. He retreats like a general, and attacks like a hero. Had he lived in the days of idolatry, he had been worshipped as a god. One age cannot do justice to his merit; but a grateful posterity shall, for a succession of ages, remember the great deliverer of his country."

It would be out of keeping with the prescribed limits of a sketch like this, even to make mention of the honors which were heaped upon President Washington, alike by the people of his own and of other countries. No opportunity was left unimproved by anybody, of testifying to him how exalted was the estimate of his greatness and goodness. The following high tribute—high not less in itself, than in the source whence it came—has never before, it is believed, been published in any book. In an address delivered many years ago before one of the literary societies of Bowdoin College in the State of Maine, by the Hon. Joseph R. Ingersoll, member of Congress from the city of Philadelphia, that distinguished gentleman said:

"The late Lord Chancellor Erskine, when in the enjoyment of reputation more elevated than rank and power could confer,—the fearless and successful advocate of the liberty and constitution of England,—addressed a voluntary letter to General Washington, of which a copy was found among the papers of Lord Erskine, after his decease, as follows:

"LONDON, March 15, 1795.

"I have taken the liberty to introduce your august and immortal name in a short sentence, which will be found in the book I send to you. I have a large acquaintance among the most valuable and exalted classes of men; but you are the only human being for whom I ever felt an awful reverence. I sincerely pray God to grant a long and serene evening to a life so gloriously devoted to the universal happiness of the world.

"T. ERSKINE."

The celebrated French author and traveller, Chateaubriand, on the occasion of his visit, in 1791, to the United States; called upon President Washington. The subject of the north-west passage being the topic of conversation at the dinner table, the President alluded to the difficulties attending the quest of Chateaubriand. "But sir," said he, "it is less difficult to discover the polar passage, than to create a nation, as you have done."

To Volney, who visited him, and requested an autograph letter, to serve as a passport in his journey on foot through the United States,—President Washington gave a written memorandum, which, whilst it served to commend him to the kindness of the people, yet did not commit Washington to any of Volney's opinions,—many of which were distasteful to him. He said, simply:

“The distinguished philosopher and traveller, Volney, needs no recommendation from

“GO. WASHINGTON.”

In this connection it will be appropriate to throw some light upon the religious character of Washington, and the question whether he was a communicant of the church or not. That he was a vestryman of an Episcopal church in the year 1763, clearly appears from the court records of Fairfax county, Virginia; and that he was a vestryman in the year 1774 also, appears from a deed made the 24th day of February in that year, in which he and seven other members of the vestry convey to Daniel McCarty, in consideration of the “sum of fifteen pounds ten shillings current money,” a certain pew No. 14 in Pohick church. Although it was not, perhaps, in those days,—as it is not now,—an inflexible rule in the Episcopal church, that vestrymen should be communicants; yet the general custom no doubt was then, as it is now, that com-

municants should be preferred for vestrymen where they could be had. The presumption would therefore be in favor of the church membership of Washington, even if the proof rested here. But although doubts on this subject have existed, probably originating mainly from the doubts expressed by Bishop White; yet Bishop Meade believed that General Washington was a member of the Episcopal church, and has collected the proofs of that fact, in his interesting work on "Old Churches and Families of Virginia." Some of the statements given by Bishop Meade, bearing upon this point are so interesting, that the writer will be pardoned for introducing them.

"Extract from a letter of the Rev. Dr. Berrian, of New York, to Mrs. Jane Washington, of Mount Vernon, in answer to some inquiries about General Washington during his residence in New York as President of the United States:

* * * * *

"About a fortnight since, I was administering the communion to a sick daughter of Major Popham, and, after the service was over, happening to speak on this subject, I was greatly rejoiced to obtain the information which you so earnestly desired.

"Major Popham served under General Washington during the revolutionary war, and I believe he was brought as near to him as their difference of rank

would admit, being himself a man of great respectability, and connected by marriage with the Morris, one of the first families in the country. He has still an erect and military air, and a body but little broken at his advanced age. His memory does not seem to be impaired nor his mind to be enfeebled."

* * * * *

["To the above," says Bishop Meade, "I can add my own testimony, having in different ways become acquainted with the character of Major Popham, and having visited him about the same time mentioned by Dr. Berrian."]

"Extract from Major Popham's letter to Mrs. Jane Washington.

"NEW YORK, March 14, 1839.

"MY DEAR MADAM,—You will doubtless be not a little surprised at receiving a letter from an individual whose name may possibly never have reached you; but an accidental circumstance has given me the extreme pleasure of introducing myself to your notice. In a conversation with the Rev. Dr. Berrian a few days since, he informed me that he had lately paid a visit to Mount Vernon, and that Mrs. Washington had expressed a wish to have a doubt removed from her mind, which had long oppressed her, as to the certainty of the General's having attended the communion while residing in the city of New York sub-

sequent to the Revolution. As nearly all the remnants of those days are now sleeping with their fathers, it is not very probable that at this late day an individual can be found who could satisfy this pious wish of your virtuous heart, except the writer.

“It was my great good fortune to have attended St. Paul’s Church, in this city, with the general, during the whole period of his residence in New York as President of the United States. The pew of Chief-Justice Morris was situated next to that of the president, close to whom I constantly sat in Judge Morris’ pew, and I am as confident as a memory, now laboring under the pressure of fourscore years and seven can make me, that the president has more than once, I believe I may say often, attended at the sacramental table, at which I had the privilege and happiness to kneel with him. And I am aided in my associations by my elder daughter, who distinctly recollects her grandmamma, Mrs. Morris, often mention the fact with great pleasure. Indeed, I am further confirmed in my assurance by the perfect recollection of the president’s uniform deportment during divine service in church. The steady seriousness of his manner, the solemn, audible, but subdued tone of voice in which he read and repeated the responses, the Christian humility which overspread and adorned the native dignity of the saviour of his country, at once exhibited him a pattern to all who had the honour of

access to him. It was my good fortune, my dear madam, to have had frequent intercourse with him. It is my pride and boast to have seen him in various situations,—in the flush of victory, in the field and in the tent, in the church, and at the altar, always himself, ever the same.”

* * * * *

“Letter from General Lewis, of Augusta county, Virginia, to the Rev. Mr. Dana, of Alexandria.

“LEWISTOWN, December 14, 1855.

“REVEREND AND DEAR SIR,—When (some weeks ago) I had the pleasure of seeing you in Alexandria, and in our conversation the subject of the religious opinions and character of General Washington was spoken of, I repeated to you the substance of what I had heard from the late General Robert Porterfield, of Augusta, and which at your request I promised to reduce to writing at some leisure moment and send to you. I proceed now to redeem the promise. Some short time before the death of General Porterfield, I made him a visit and spent a night at his house. He related many interesting facts that had occurred within his own observation in the war of the Revolution, particularly in the Jersey campaign, and the encampment of the army at Valley Forge. He said that his official duty (being brigade-inspector) frequently brought him in contact with General Wash-

ington. Upon one occasion, some emergency (which he mentioned) induced him to dispense with the usual formality, and he went directly to General Washington's apartment, where he found him on his knees, engaged in his morning's devotions. He said that he mentioned the circumstance to General Hamilton, who replied that such was his constant habit. I remarked that I had lately heard Mr. — say, on the authority of Mr. —, that General Washington was subject to violent fits of passion, and that he then swore terribly. General Porterfield said that the charge was false; that he had known General Washington personally for many years, had frequently been in his presence under very exciting circumstances, and had never heard him swear an oath, or in any way profane the name of God. 'Tell Mr. — from me,' said he, 'that he had much better be reading his Bible than repeating such slanders on the character of General Washington.' 'General Washington,' said he, 'was a pious man, and a member of your church [the Episcopal]. I saw him myself on his knees receive the sacrament of the Lord's Supper in — Church, in Philadelphia.' He specified the time and place. My impression is that Christ Church was the place, and Bishop White, as he afterwards was, the minister. This is, to the best of my recollection, an accurate statement of what I heard from General Porterfield on the subject."

Bishop Meade proceeds to say:—"In relation to what is said about the paroxysms of passion and terrible swearing of General Washington, we have something very special to say. We have heard of this many years since, and think we are able to trace it to its true source. The following extract from a late synopsis of General Washington's private letters to his secretary,—Mr. Tobias Lear,—by the Hon. Richard Rush, of Philadelphia, will throw some light on the subject:—

‘An anecdote I derived from Colonel Lear shortly before his death in 1816 may here be related, showing the height to which his [General Washington's] passion would rise, yet be controlled. It belongs to his domestic life, which I am dealing with, having occurred under his own roof; whilst it marks public feeling the most intense, and points to the moral of his life. I give it in Colonel Lear's words as nearly as I can, having made a note of them at the time.

‘Toward the close of a winter's day in 1791, an officer in uniform was seen to dismount in front of the president's in Philadelphia, and, giving the bridle to his servant, knock at the door of his mansion. Learning from the porter that the president was at dinner, he said he was on public business and had despatches for the president. A servant was sent into the dining-room to give the information to Mr. Lear, who left the table and went into the hall, when

the officer repeated what he had said. Mr. Lear replied that, as the president's secretary, he would take charge of the despatches and deliver them at the proper time. The officer made answer that he had just arrived from the western army, and his orders were to deliver it with all promptitude, and to the president in person; but that he would wait his directions. Mr. Lear returned, and in a whisper imparted to the president what had passed. General Washington rose from the table and went to the officer. He was back in a short time and made a word of apology for his absence, but no allusion to the cause of it. He had company that day. Everything went on as usual. Dinner over, the gentlemen passed into the drawing-room of Mrs. Washington, which was open in the evening. The general spoke courteously to every lady in the room, as was his custom. His hours were early, and by ten all the company had gone. Mrs. Washington and Mr. Lear remained. Soon Mrs. Washington left the room. The general now walked backward and forward slowly for some minutes without speaking. Then he sat down on a sofa by the fire, telling Mr. Lear to sit down. To this moment there had been no change in his manner since his interruption at table. Mr. Lear now perceived emotion. This rising in him, he broke out suddenly:—"It's all over! St. Clair's defeated—routed; the officers nearly all killed, the men by wholesale; the rout

complete. Too shocking to think of;—and a surprise into the bargain!” He uttered all this with great vehemence. Then he paused, got up from the sofa, and walked about the room several times, agitated, but saying nothing. Near the door he stopped short and stood still for a few seconds, when his wrath became terrible. “Yes,” he burst forth, “here, on this very spot I took leave of him. I wished him success and honour.” ‘You have instructions,’ I said, ‘from the secretary of war; I had a strict eye to them, and will add but one word,—beware of a surprise! I repeat it, beware of a surprise; you know how the Indians fight us! He went off with that as my last solemn warning thrown into his ears. And yet to suffer that army to be cut to pieces, hacked, butchered, tomahawked, by a surprise,—the very thing I guarded him against! O God! O God! he’s worse than a murderer! How can he answer it to his country? The blood of the slain is upon him,—the curse of the widows and orphans,—the curse of heaven!” This torrent came out in tones appalling. His very frame shook. “It was awful,” said Mr. Lear. More than once he threw his hands up as he hurled imprecations upon St. Clair. Mr. Lear remained speechless, awed into breathless silence. The roused chief sat down on the sofa once more. He seemed conscious of his passion, and uncomfortable. He was silent. His warmth beginning to subside, he at

length said, in an altered voice, "This must not go beyond this room." Another pause followed, a longer one, when he said, in a tone quite low, "General St. Clair shall have justice; I looked hastily through the despatches, saw the whole disaster, but not all the particulars. I will receive him without displeasure; I will hear him without prejudice; he shall have full justice." He was now (said Mr. Lear) perfectly calm. Half an hour had gone by. The storm was over; and no sign of it was seen in his conduct or heard in his conversation. The whole case was investigated by Congress. St. Clair was exculpated, and regained the confidence Washington had in him when appointing him to command. He had put himself into the thickest of the fight, and escaped unhurt, though so ill as to be carried on a litter and unable to mount his horse without help."

"In relation to the above," continues Bishop Meade "let it be granted that Mr. Lear (who did not sympathize with General Washington's religious opinions), after the lapse of more than twenty years, retained an accurate recollection of all his words, and that Mr. Rush fully understood them and truly recorded them, as doubtless he did: yet what do they amount to? Is the exclamation "O God! O God!" under his aroused feeling, that swearing since imputed to him, but which from his youth up he had so emphatically condemned in his soldiers as impious and ungentlemanly?"

The close of Washington's second term as President, found him still longing, with an ardor increased by advancing age, for the delights of a retired and quiet home life, and the agricultural pursuits to which he had ever been devoted. There can be no question that he would have been again re-elected, could his own consent have been obtained. Nor is there reasonable ground for doubt that his second re-election would have been unanimous; for, although there unquestionably was, toward the close of his second administration, an opposition to some of the measures of the government rapidly crystallizing, and assuming the proportions of a political party; yet the respect and affection for the *man* seemed unabated, irrespective of party feeling.

The announcement of his unalterable determination to retire from public life, caused anxiety and forebodings, and even a measure of consternation among thoughtful men throughout the entire country; and notwithstanding "there were giants in those days," serious apprehensions were felt that no one could be found who could safely be entrusted with the reins of government in the impending crisis. Party spirit was growing, and was augmented by the indelicate concern taken by the French minister in the conduct of the elections. This, with other things, produced a warmth between the factions which was portentous of a storm; for whilst one faction, with that blindness so

common in such cases, did not scruple to avail itself of the aid of this foreign and impertinent co-adjutor; the opposition was but the more lashed into fury by such unwarrantable interference, on the part of an alien representative of a power, which, whilst aforetime a friend and ally, was now becoming, perhaps for that very reason, a most implacable foe.

The insults offered by France to the young republic of America, in refusing to receive her plenipotentiaries, and even driving them from the territory of France; in the capture of American merchantmen upon the high seas; and in other gratuitous slights and offences against the dignity of the United States; produced, as they could not fail to do, hostile and retaliatory measures on the part of the Americans: and the newly inaugurated President, Mr. Adams, convened Congress for the purpose of taking suitable steps to declare war and organize an army.

There could be no more convincing and conclusive evidence of the success of Washington's administration of the government, than the spectacle now presented, of the "trembling system" he had eight years before assumed control of, making preparations to cope, on land and sea, with a nation which was at that time perhaps the most powerful on earth.

Again did the country turn to Washington in his quiet retreat at Mount Vernon. He was nominated, and unanimously confirmed by the Senate, as com-

mander-in-chief of the army, with the rank of lieutenant-general. The estimate in which he continued to be held, in these closing years of his career, cannot be better shown than by the terms of the President's instructions to the Secretary of War, when soliciting the general's acceptance of the chief command.

"If the general should decline the appointment, all the world will be silent, and respectfully acquiesce. If he should accept it, all the world except the enemies of his country will rejoice. If he should come to no decisive determination, but take the subject into consideration, I shall not appoint any other lieutenant-general until his conclusion is known. . . . His opinion on all subjects would have great weight, and I wish you to obtain from him as much of his reflections upon the times and the service as you can."

Well might the noble chief have now said, with Lord Camden,—*"I go to it with a heavy heart,—iterum mersus civilibus undis,*—at a time of life when I ought to retire; but as the die is cast, I will go to the drudgery without complaining, and do my best."

In accepting the appointment, General Washington made this reservation only:—"that I shall not be called into the field until the army is in a situation to require my presence, or it becomes indispensable by the urgency of circumstances. In making this reservation, I beg it to be understood that I do not mean to withhold any assistance to arrange and organize

the army, which you may think I can afford. I take the liberty also to mention that I must decline having my acceptance considered as drawing after it any immediate charge upon the public, or that I can receive any emolument annexed to the appointment before I am in a situation to incur expense."

The attitude of America in arms, and in earnest, soon brought the French people to reason ; and overtures, looking to a settlement of differences, were not long delayed by the Directory. Before negotiations for peace were concluded, however, and in the midst of his preparations to offer himself for the third time as the bulwark of his country in her time of need, came the "inevitable hour" to him on whom Heaven had bestowed so much of its wealth, and on whom his people had heaped so many honors, and lavished such unbounded affection. In the undimmed splendor of his surpassing greatness, in the unabated lustre of his marvellous fame;—the idol of his countrymen, the admiration of the world;—his gentle and heroic spirit passed away in the privacy of his retired abode on the banks of the Potomac, and in the bosom of his family; before the busy outside multitudes, or the friends who loved him so, were even aware of his sickness. As the sheaf of ripened grain, to which the sickle is applied, only because it is ready for the harvest; so fell he; full of years, full of virtues, full of honors: and the bounteous largess of his pure and

stainless and godlike life, is the legacy, not of his kindred only, but of his country and the ages.

“On Friday the 13th of December 1799, while attending to some improvements upon his estate, he was exposed to a light rain, by which his neck and hair became wet. Not apprehending danger from this circumstance, he passed the afternoon in his usual manner; but, in the night, was seized with an inflammatory affection of the windpipe. The disease commenced with a violent ague, accompanied with some pain in the upper and forepart of the throat, a sense of stricture in the same part, a cough, and a difficult rather than a painful deglutition, which were soon succeeded by fever, and a quick and laborious respiration.

“Believing bloodletting to be necessary, he procured a bleeder who took from his arm twelve or fourteen ounces of blood, but he would not permit a messenger to be despatched for his family physician until the appearance of day. About eleven in the morning Doctor Craik arrived; and perceiving the extreme danger of the case, requested that two consulting physicians should be immediately sent for. The utmost exertions of medical skill were applied in vain. The powers of life were manifestly yielding to the force of the disorder; speaking, which was painful from the beginning, became almost impracticable: respiration became more and more contracted and

imperfect, until half-past eleven on Saturday night; when, retaining the full possession of his intellect, he expired without a struggle.

“Believing at the commencement of his complaint, as well as through every succeeding stage of it, that its conclusion would be mortal, he submitted to the exertions made for his recovery, rather as a duty, than from any expectation of their efficiency. Some hours before his death, after repeated efforts to be understood, he succeeded in expressing a desire that he might be permitted to die without interruption. After it became impossible to get anything down his throat, he undressed himself and went to bed, there to die. To his friend and physician, Doctor Craik, who sat on his bed, and took his head in his lap, he said, with difficulty, “Doctor, I am dying, and have been dying for a long time, but I am not afraid to die.”

“With patriotic pride,” (say the resolutions prepared for Congress by General Lee, but, in his absence, offered by John Marshall,) “we review the life of our WASHINGTON, and compare him with those of other countries who have been pre-eminent in fame. Ancient and modern names are diminished before him. Greatness and guilt have too often been allied; but *his* fame is whiter than it is brilliant. The destroyers of nations stood abashed at the majesty of *his* virtues. It reproved the intemperance of their

ambition, and darkened the splendour of victory. The scene is closed,—and we are no longer anxious lest misfortune should sully his glory; he has travelled on to the end of his journey, and carried with him an increasing weight of honour: he has deposited it safely where misfortune cannot tarnish it; where malice cannot blast it. Favoured of heaven, he departed without exhibiting the weakness of humanity; magnanimous in death, the darkness of the grave could not obscure his brightness.”

“There have been soldiers,” says Bancroft, “who have achieved mightier victories in the field, and made conquests more nearly corresponding to the boundlessness of selfish ambition; statesmen who have been connected with more startling upheavals of society; but it is the greatness of Washington, that in public trusts he used power solely for the public good; that he was the life, and moderator, and stay of the most momentous revolution in human affairs, its moving impulse and its restraining power. Combining the centripetal and the centrifugal forces in their utmost strength and in perfect relations; with creative grandeur of instinct he held ruin in check, and renewed and perfected the institutions of his country.”

Thomas Jefferson wrote of him:—

“On the whole, his character was, in its mass, perfect; in nothing bad, in few points indifferent; and it

may truly be said, that never did nature and fortune combine more perfectly to make a man great, and to place him in the same constellation with whatever worthies have merited from man an everlasting remembrance. For his was the singular destiny and merit of leading the armies of his country successfully through an arduous war, for the establishment of its independence; of conducting its councils through the birth of a government new in its forms and principles, until it had settled down into a quiet and orderly train; and of scrupulously obeying the laws through the whole of his career, civil and military, of which the history of the world furnishes no other example:" and again;—that his "memory will be adored while liberty shall have votaries, his name shall triumph over time, and will in future ages assume its just station among the most celebrated worthies of the world."

In 1780, and before there was the decisive witness of final success to testify in Washington's behalf, Dr. Franklin thus wrote to him from France:—

"Should peace arrive after another campaign or two, and afford us a little leisure, I should be happy to see your excellency in Europe, and to accompany you, if my age and strength would permit, in visiting some of its most ancient and famous kingdoms. You would on this side the sea, enjoy the great reputation

you have acquired, pure and free from those little shades that the jealousy and envy of a man's countrymen and cotemporaries are ever endeavoring to cast over living merit. Here you would know, and enjoy, what posterity will say of Washington; for a thousand leagues have nearly the same effect with a thousand years. The feeble voice of those grovelling passions cannot extend so far either in time or distance. At present I enjoy that pleasure for you, as I frequently hear the old generals of this martial country (who study the maps of America, and mark upon them all your operations,) speak with sincere approbation and great applause of your conduct, and join in giving you the character of one of the greatest captains of the age."

Upon the surrender of Cornwallis, Dr. Franklin thus wrote to General Washington, from Europe:—

"I received duly the honour of your letter, accompanying the capitulation of General Cornwallis. All the world agree, that no expedition was ever better planned or better executed; it has made a great addition to the military reputation you had already acquired, and brightens the glory that surrounds your name, and that must accompany it to our latest posterity. . . . The infant Hercules has now strangled the two serpents that attacked him in his

cradle, and I trust his future history will be answerable."*

Lord Brougham pays the following tribute to Washington:—"With none of that brilliant genius which dazzles ordinary minds; with not even any remarkable quickness of apprehension; with knowledge less than almost all persons in the middle ranks, and many well educated of the humbler class possess; this eminent person is presented to our observation, clothed with attributes as modest, as unpretending, as little calculated to strike or astonish, as if he had passed through some secluded region of private life. But he had a judgment sure and sound; a steadiness of mind which never suffered any passion, or even any feeling to ruffle its calm; a strength of understanding worked, rather than forced its way through all obstacles, removing or avoiding, rather than over-leaping them. His courage, whether in battle or in council, was as perfect as might be expected from this pure and steady temper of soul. A perfectly just man, with a thoroughly firm resolution never to be misled by others, any more than by others to be overawed; never to be seduced, or betrayed, or hurried away by his own weakness, or self-delusions, any more than by other men's arts; nor even to be

*A medal was afterwards struck, embodying this idea for the young republic.

disheartened by the most complicated difficulties, any more than be spoilt on the giddy heights of fortune—such was this great man—whether we regard him alone sustaining the whole weight of campaigns, all but desperate, or gloriously terminating a just warfare by his resources and his courage; presiding over the jarring elements of his political council, alike deaf to the storms of all extremes—or directing the formation of a new government for a great people, the first time so vast an experiment had been tried by man; or finally retiring from the supreme power to which his virtue had raised him over the nation he had created, and whose destinies he had guided as long as his aid was required,—retiring with the veneration of all parties, of all nations, of all mankind, in order that the rights of men might be preserved, and that his example might never be appealed to by vulgar tyrants.

“This is the consummate glory of the great American; a triumphant warrior where the most sanguine had a right to despair; a successful ruler in all the difficulties of a course wholly untried; but a warrior whose sword only left its sheath when the first law of our nature commanded it to be drawn; and a ruler who, having tasted of supreme power, gently and unostentatiously desired that the cup might pass from him, nor would suffer more to wet his lips than the

most solemn and sacred duty to his country and his God required!

“To his latest breath did this great patriot maintain the noble character of a captain, the patron of peace; and a statesman, the friend of justice. Dying, he bequeathed to his heirs the sword he had worn in the war for liberty, charging them ‘never to take it from the scabbard but in self-defence, or in defence of their country and her freedom;’ and commanding them that ‘when it should be thus drawn, they should never sheath it, nor ever give it up, but prefer falling with it in their hands, to the relinquishment thereof’—words, the majesty and simple eloquence of which are not surpassed in the oratory of Athens and Rome. It will be the duty of the historian and the sage in all ages, to omit no occasion of commemorating this illustrious man; and until time shall be no more, will a test of the progress which our race has made in wisdom and in virtue, be derived from the veneration paid to the immortal name of WASHINGTON!”

The conclusion of Lord Macaulay’s glowing tribute to the incomparable British hero, John Hampden, could not justly be here omitted. Says Macaulay:—“He had indeed left none his like behind him. There still remained, indeed, in his party, many acute intel-

lects, many eloquent tongues, many brave and honest hearts. There still remained a rugged and clownish soldier, half-fanatic, half-buffoon, whose talents, discerned as yet only by one penetrating eye, were equal to all the highest duties of the soldier and the prince. But in Hampden, and in Hampden alone, were united all the qualities which, at such a crisis, were necessary to save the state—the valour and energy of Cromwell, the discernment and eloquence of Vane, the humanity and moderation of Manchester, the stern integrity of Hale, the ardent public spirit of Sidney. Others might possess the qualities which were necessary to save the popular party in the crisis of danger; he alone had both the power and the inclination to restrain its excesses in the hour of triumph. Others could conquer; he alone could reconcile. A heart as bold as his brought up the cuirassiers who turned the tide of battle on Marston Moor. As skilful an eye as his watched the Scotch army descending from the heights over Dunbar. But it was when, to the sullen tyranny of Laud and Charles, had succeeded the fierce conflict of sects and factions, ambitious of ascendancy and burning for revenge; it was when the vices and ignorance which the old tyranny had generated, threatened the new freedom with destruction, that England missed that sobriety, that self-command, that perfect soundness of judgment, that perfect rectitude of intention, to which

the history of revolutions furnishes no parallel, or furnishes a parallel in *Washington* alone."

William Makepeace Thackeray—the master of English romance—who elevated his works of fiction to a plane which not only secures all scholars' perusal of them, but which makes no man ashamed to give *his* novels conspicuous place among the treasures of his book-shelves;—Thackeray says of Washington, that he "was all mankind's superior;" and adds;—"it was ordained by Heaven, and for the good, as we can now have no doubt, of both empires, that the great western republic should separate from us: and the gallant soldiers who fought on her side, their indomitable and heroic chief above all, had the glory of facing and overcoming, not only veteran soldiers amply provided and inured to war, but wretchedness, cold, hunger, dissensions, treason within their own camp, where all must have gone to rack, but for the pure, unquenchable flame of patriotism that was forever burning in the bosom of the heroic leader. What a constancy, what a magnanimity, what a surprising persistence against fortune! Washington before the enemy was no better nor braver than hundreds that fought with him or against him (who has not heard the repeated sneers against "Fabius," in which his factious captains were accustomed to indulge?); but Washington, the chief of a nation in arms, doing battle with distracted

parties; calm in the midst of conspiracy; serene against the open foe before him and the darker enemies at his back; Washington, inspiring order and spirit into troops hungry and in rags; stung by ingratitude, but betraying no anger, and ever ready to forgive; in defeat invincible, magnanimous in conquest, and never so sublime as on that day when he laid down his victorious sword and sought his noble retirement—here indeed is a character to admire and revere; a life without a stain, a fame without a flaw.

Quando invenies parem?"

But no sketch of Washington could be closed in any way as well, as in the language of his most accurate, just, and distinguished biographer, Chief Justice Marshall; from whom the following concluding passages are quoted:

"General Washington was rather above the common size, his frame was robust, and his constitution vigorous—capable of enduring great fatigue, and requiring a considerable degree of exercise for the preservation of his health. His exterior created in the beholder the idea of strength, united with manly gracefulness.

"His manners were rather reserved than free, though they partook nothing of that dryness, and sternness, which accompany reserve when carried to an extreme; and on all proper occasions, he could

relax sufficiently to show how highly he was gratified by the charms of conversation and the pleasures of society. His person and whole deportment exhibited an unaffected and indescribable dignity, unmingled with haughtiness, of which all who approached him were sensible; and the attachment of those who possessed his friendship, and enjoyed his intimacy, was ardent, but always respectful. His temper was humane, benevolent, and conciliatory; but there was a quickness in his sensibility to anything apparently offensive, which experience had taught him to watch, and to correct.

“He made no pretensions to that vivacity which fascinates, or to that wit which dazzles, and frequently imposes on the understanding. More solid than brilliant, judgment, rather than genius, constituted the most prominent feature of his character.

“Without making ostentatious professions of religion, he was a sincere believer in the Christian faith, and a truly devout man.

“No man has ever appeared upon the theatre of public action, whose integrity was more incorruptible, or whose principles were more perfectly free from the contamination of those selfish and unworthy passions, which find their nourishment in the conflicts of party. Having no views which required concealment, his real and avowed motives were the same; and his whole correspondence does not furnish a single case, from

which even an enemy would infer that he was capable, under any circumstances, of stooping to the employment of duplicity. No truth can be uttered with more confidence than that his ends were always upright, and his means always pure. He exhibits the rare example of a politician to whom wiles were absolutely unknown, and whose professions to foreign governments, and to his own countrymen, were always sincere.

“It is impossible to contemplate the great events which have occurred in the United States under the auspices of Washington, without ascribing them, in some measure, to him. If we ask the causes of the prosperous issue of a war, against the successful termination of which there were so many probabilities? of the good which was produced, and the ill which was avoided, during an administration fated to contend with the strongest prejudices, that a combination of circumstances, and of passions, could produce? of the constant favor of the great mass of his fellow-citizens, and of the confidence which, to the last moment of his life, they reposed in him? the answer, so far as these causes may be found in his character, will furnish a lesson well meriting the attention of those who are candidates for political fame.”

3

PATRICK HENRY.



PATRICK HENRY.

To the student of the history of nations, perhaps none of modern times presents a record more interesting than that of Scotland. There is, it is true, much mystery, and uncertainty, and disagreement among historians, as to the date of the foundation of the monarchy; and some have located it at as remote a period even as 330 B. C.: but, that it was an established government as early as the first century of the Christian era, conclusively appears from the unsuccessful incursion which was made by Julius Agricola, with a Roman army of no mean force, in the reign of Titus, A. D. 79. And for several centuries the hardy Picts and Scots, albeit warring almost constantly among themselves, maintained the autonomy of their country, even against the repeated attempts of the Roman empire to attach it to her triumphal car, as "mistress of the world." It is really curious to trace the narrow but unbroken line of existence of the government of the Scotch, running down the current of the centuries, unconquered, unconquerable, and in-

tact, during the almost universal dominion of Rome, and amid the general wreck and confusion which followed the dissolution of that stupendous empire. Nor can the explanation of this vitality be found,—as has been sometimes attempted—in the impregnable and inaccessible character of their mountain fastnesses, or in the fact that the comparative insignificance of their state rendered the ownership of their soil beneath the cupidity of their neighbors: for, it is probable that no people, now known, have sustained the shock of so many fierce assailants, maintained their independence against such odds, and supported themselves through such untoward circumstances. And their marvellous defence of their country must be attributed to their prowess and patriotism alone.

No less, have the Scotch always been a hegemonic race, in the domain of letters and intellect; and doubtless many of the brightest minds and most glowing characters which adorn the annals of England and America, have owed their genius to the Scoto-Irish blood which flowed in their veins.

A striking example of this is to be found in the subject of this sketch; than whom, in some respects, a greater Virginian has not lived. Sprung from an ancestry who were reared among the granite hills of the Don and the Dee, he inherited alike their hardy resolution, their unconquerable will, and their far-reaching intellectual powers. And if the record of

his life be true, a further heritage which descended to him, was a certain indolence and sluggishness,—characteristic of his race,—which clung to him until the mighty spirit that was in him was aroused by the music of events congenial to its nature.

Patrick Henry was born at "Studley," the family seat of his father, in Hanover county Virginia, on the 29th of May 1736. His father was Colonel John Henry, a native of Aberdeen Scotland; his mother—Sarah Winston of Hanover county Virginia—was the widow of Colonel Syme at the time of her marriage with Colonel Henry; and it was from her family that this gifted son derived, in the main, those wondrous powers of eloquence, which afterwards lifted him to a plane that but few men, in ancient or modern times, have occupied as his peers. He was the second of nine children.* Taken from school at the age of about ten years, his education consisted mainly of

* In inheriting his oratorical powers through his mother, and having only one brother older, and so many younger, than himself, Mr. Henry appears to contradict the idea illustrated by the keen retort which was once made upon the Earl of Buchan. "The late Earl of Buchan," says Lord Campbell, "who was eldest brother to Lord Chancellor Erskine and the famous Henry Erskine, Dean of Faculty; but very unequal to them in abilities, observing boastfully 'we inherit all our genius from our mother,' was answered, 'Yes, and (as the mother's fortune) it seems to have been all settled on the *younger* children.'" The same nobleman who was distinguished more on account of his vanity than for anything else, being (like Washington) childless, used to say, "According to Bacon, *great men have no continuance*, and in the present generation there are three examples of it, Frederick of Prussia, George Washington, and myself."

such information as his father could impart in his own home, amid the engagements which necessarily occupied him as the head of a large family, and a gentleman of prominence in his county—having filled the honorable and responsible positions of regimental commander, county surveyor, and president of the county court. Nor does the youthful Patrick seem, to the casual observer, to have exhibited any signs of the embryo statesman and leader of men. On the contrary he appears rather to have frittered away his opportunities, and to have grown up such an idler as to excite from his school-fellows the frequent remark, that he “loved idleness for its own sake.” “They have frequently observed him,” says his biographer, “lying along, under the shade of some tree that overhung the sequestered stream, watching for hours, at the same spot, the motionless cork of his fishing line, without one encouraging symptom of success, and without any apparent source of enjoyment, unless he could find it in the ease of his posture, or in the illusions of hope, or, which is most probable, in the stillness of the scene and the silent workings of his own imagination. This love of solitude, in his youth, was often observed. Even when hunting with a party, his choice was not to join the noisy band that drove the deer; he preferred to take his stand, alone, where he might wait for the passing game, and indulge himself, meanwhile, in the luxury of thinking.”

Here, at last, in his propensity for *thinking*, do we find the secret of his power. In the taciturnity and mental abstraction which always characterized him, whether alone or in company, his powerful mind was constantly engaged, unobserved by others and almost unconsciously to himself, in laying up stores of solid thought, and a fund of useful information, gleaned directly from the book of nature, as exhibited alike in his fellow-beings, and in the inanimate creation around him. In music too, the dormant thrills of his soul for a time found inadequate expression, until the true chord of his genius was touched, by the accidental perusal of the works of certain elegant writers, from whom he acquired, for the first time, a relish for reading.

About the same period of his life, it was his good fortune to hear an eloquent sermon from the celebrated Presbyterian divine and orator, Rev. Samuel Davies. This was the turning point in his life. Like one under a spell he listened and pondered and wondered, while the electric current of genuine eloquence poured like rushing melody into his sympathetic spirit; and under a fervid impulse, like an awakened Samson, as he was, he arose and *shook himself*. As sweet harmonies are breathed into life while zephyrs kiss Æolian harps; as rosy day-spring wakes enchanting warbles in the rustling boughs, so did the impassioned words of the great preacher call forth responsive

echoes in his panting soul, and roused to action the gift of God which erewhile slumbered in his bosom.

Of his own accord, after repeated failures in business, he commenced the study of law, and succeeded in passing his examinations for a license, after an incredibly short period of study,—a few weeks, according to some authorities; a few months, according to others. It is due to candor to say, however, that his license was granted by the judges, not so much for the extent of knowledge, as for the wondrous powers of mind he displayed in his examinations.

He entered the bar at the age of twenty-four years, and having then already been married some six years, it may well be imagined that the burdens of a family, added to the dreary hopelessness which scarcely ever fails to clog the energies and dampen the ardor of a tyro at the bar, were sufficient to keep him in the back-ground for some time. Indeed he appears to have gotten little or nothing to do in the line of his profession, for about three years; and then apparently by accident. His first appearance in public as an advocate, in the celebrated "parson's cause," in December 1763, was so surprising and so manifestly a *bursting forth* of his mighty genius from the mists which had so long obscured it, that a somewhat detailed account of the occasion is almost indispensable as an introduction to the remarkable public career then commenced.

"The church of England* was at this period the established church of Virginia; and by an act of assembly, passed so far back as the year 1696, each minister of a parish had been provided with an annual stipend of sixteen thousand pounds of tobacco. This act was re-enacted, with amendments, in 1748, and in this form had received the royal assent. The price of tobacco had long remained stationary at two pence in the pound, or sixteen shillings and eight pence per hundred. According to the provisions of the law, the clergy had the right to demand, and were in the practice of receiving, payment of their stipend in the specific tobacco; unless they chose, for convenience, to commute it for money at the market price. In the year 1755, however, the crop of tobacco having fallen short, the legislature passed "an act to enable the inhabitants of this colony to discharge their tobacco-debts in money for the present year"; by the provisions of which, "all persons, from whom any tobacco was due, were authorized to pay the same either in tobacco or in money, *after the rate of sixteen shillings and eight pence per hundred, at the option of the debtor.*" This act was to continue in force for ten months and no longer, and did not contain the usual clause of suspension, *until it should receive the royal assent.* Whether the scarcity of tobacco was so general and so notorious, as to render

* Wirt's Life of Patrick Henry.

this act a measure of obvious humanity and necessity, or whether the clergy were satisfied by its generality, since it embraced sheriffs, clerks, attorneys and all other tobacco-creditors, as well as themselves, or whether they acquiesced in it as a temporary expedient, which they supposed not likely to be repeated, it is certain, that no objection was made to the law at that time. They could not, indeed, have helped observing the benefits which the rich planters derived from the act; for they were receiving from fifty to sixty shillings per hundred for their tobacco, while they paid off their debts, due in that article, at the old price of sixteen shillings and eight pence. Nothing, however, was then said in defence either of the royal prerogative or of the rights of the clergy, but the law was permitted to go peaceably through its ten months operation. The great tobacco planters had not forgotten the fruits of this act, when, in the year 1758, *upon a surmise* that another short crop was likely to occur, the provisions of the act of 1755 were re-enacted, and the new law, like the former, contained no suspending clause. The crop, as had been anticipated, did fall short, and the price of tobacco rose immediately from sixteen and eight pence to fifty shillings per hundred. The clergy now took the alarm, and the act was assailed by an indignant, sarcastic, and vigorous pamphlet, entitled "The Two-Penny Act" from the pen of the Rev. John Camm,

the rector of York-Hampton parish, and the Episcopalian commissary for the colony. He was answered by two pamphlets, written, the one by Col. Richard Bland, and the other by Col. Landon Carter, in both which the commissary was very roughly handled. He replied, in a still severer pamphlet, under the ludicrous title of "The Colonels Dismounted." The colonels rejoined; and this war of pamphlets, in which, with some sound argument, there was a great deal of what Dryden has called "the horse-play of raillery," was kept up, until the whole colony, which had at first looked on for amusement, kindled seriously in the contest from motives of interest. Such was the excitement produced by the discussion, and at length so strong the current against the clergy, that the printers found it expedient to shut their presses against them in this colony, and Mr. Camm had at last to resort to Maryland for publication. These pamphlets are still extant; and it seems impossible to deny, at this day, that the clergy had much the best of the argument. The king in his council took up the subject, denounced the act of 1758 as a usurpation, and declared it utterly null and void. Thus supported, the clergy resolved to bring the question to a judicial test; and suits were accordingly brought by them, in the various county courts of the colony, to recover their stipends in the specific tobacco. They selected the county of Hanover as the place of the first ex-

periment; and this was made in a suit instituted by the Rev. James Maury, against the collector of that county and his sureties. The record of this suit is now before me. The declaration is founded on the act of 1748, which gives the tobacco; the defendants pleaded specially the act of 1758, which authorizes the commutation into money, at sixteen and eight pence; to this plea the plaintiff demurred; assigning for causes of demurrer, first, that the act of 1758, not having received the royal assent, had not the force of a law; and secondly, that the king in council, had declared the act null and void. The case stood for argument on the demurrer to the November term, 1763, and was argued by Mr. Lyons for the plaintiff, and Mr. John Lewis for the defendants; when the court, very much to the credit of their candour and firmness, breasted the popular current by sustaining the demurrer. Thus far the clergy sailed before the wind, and concluded, with good reason, that their triumph was complete; for the act of 1758 having been declared void by the judgment on the demurrer, that of 1748 was left in full force, and became, in law, the only standard for the finding of the jury. Mr. Lewis was so thoroughly convinced of this, that he retired from the cause, informing his clients that it had been, in effect, decided against them, and that there remained nothing more for him to do. In this desperate situation they applied to Patrick Henry,

and he undertook to argue it for them before a jury, at the ensuing term. Accordingly, on the first day of the following December, he attended the court, and, on his arrival, found in the court-yard such a concourse as would have appalled any other man in his situation. They were not the people of the county merely, who were there, but visitors from all the counties, to a considerable distance around. The decision upon the demurrer had produced a violent ferment among the people, and equal exultation on the part of the clergy, who attended the court in a large body, either to look down opposition, or to enjoy the final triumph of this hard-fought contest, which they now considered as perfectly secure. Among many other clergymen who attended on this occasion, came the Reverend Patrick Henry, who was the plaintiff in another cause of the same nature, then depending in court. When Mr. Henry saw his uncle approach, he walked up to his carriage, accompanied by Col. Meredith, and expressed his regret at seeing him there. "Why so?" inquired the uncle. "Because, sir," said Mr. Henry, "you know that I have never yet spoken in public, and I fear that I shall be too much overawed by your presence to be able to do my duty to my clients; besides, sir, I shall be obliged to say some *hard things* of the clergy, and I am very unwilling to give pain to your feelings." His uncle reproved him for having engaged in the

cause, which Mr. Henry excused by saying, that the clergy had not thought him worthy of being retained on their side, and he knew of no moral principle by which he was bound to refuse a fee from their adversaries; besides, he confessed, that in this controversy, both his heart and judgment, as well as his professional duty, were on the side of the people. He then requested that his uncle would do him the favor to leave the ground. "Why, Patrick," said the old gentleman with a good-natured smile, "as to *your* saying hard things of the clergy, I advise you to let that alone; take my word for it, you will do yourself more harm than you will them; and as to my leaving the ground, I fear, my boy, that my presence could neither do you harm nor good in such a cause. However, since you seem to think otherwise, and desire it of me so earnestly, you shall be gratified." Whereupon he entered his carriage again, and returned home.

"Soon after the opening of the court the cause was called. It stood on a writ of inquiry of damages, no plea having been entered by the defendants since the judgment on the demurrer. The array before Mr. Henry's eyes was now most fearful. On the bench sat more than twenty clergymen, the most learned men in the colony, and the most capable, as well as the severest, critics before whom it was possible for him to have made his *début*. The court-house was crowded with an overwhelming multitude, and surrounded with an

immense and anxious throng, who, not finding room to enter, were endeavoring to listen without, in the deepest attention. But there was something still more awfully disconcerting than all this, for in the chair of the presiding magistrate sat no other than his own father. Mr. Lyons opened the cause very briefly. In the way of argument he did nothing more than explain to the jury, that the decision upon the demurrer had put the act of 1758 entirely out of the way, and left the law of 1748 as the only standard of their damages. He then concluded with a highly-wrought eulogium on the benevolence of the clergy. And now came on the first trial of Patrick Henry's strength. No one had ever heard him speak, and curiosity was on tiptoe. He rose very awkwardly, and faltered much in his exordium. The people hung their heads at so unpromising a commencement; the clergy were observed to exchange sly looks with each other; and his father is described as having almost sunk with confusion from his seat. But these feelings were of short duration, and soon gave place to others, of a very different character. For now were those wonderful faculties which he possessed, for the first time, developed; and now was first witnessed that mysterious and almost supernatural transformation of appearance, which the fire of his own eloquence never failed to work in him. For as his mind rolled along, and began to glow from

its own action, all the *exuvia* of the clown seemed to shed themselves spontaneously. His attitude by degrees became erect and lofty. The spirit of his genius awakened all his features. His countenance shone with a nobleness and grandeur which it had never before exhibited. There was a lightning in his eyes which seemed to rive the spectator. His action became graceful, bold and commanding; and in the tones of his voice, but more especially in his emphasis, there was a peculiar charm, a magic, of which any one who ever heard him will speak as soon as he is named, but of which no one can give any adequate description. They can only say that it struck upon the ear and upon the heart *in a manner which language cannot tell*. Add to all these, his wonder-working fancy, and the peculiar phraseology in which he clothed its images; for he painted to the heart with a force that almost petrified it. In the language of those who heard him on this occasion, "he made their blood run cold, and their hair to rise on end."

"It will not be difficult for any one who ever heard this most extraordinary man, to believe the whole account of this transaction, which is given by his surviving hearers; and from their account, the courthouse of Hanover county must have exhibited, on this occasion, a scene as picturesque as has been ever witnessed in real life. They say that the people, whose countenance had fallen as he arose, had heard

but a very few sentences before they began to look up; then to look at each other with surprise, as if doubting the evidence of their own senses; then, attracted by some strong gesture, struck by some majestic attitude, fascinated by the spell of his eye, the charm of his emphasis, and the varied and commanding expression of his countenance, they could look away no more. In less than twenty minutes they might be seen in every part of the house, on every bench, in every window, stooping forward from their stands, in death-like silence; their features fixed in amazement and awe; all their senses listening and riveted upon the speaker, as if to catch the last strain of some heavenly visitant. The mockery of the clergy was soon turned into alarm; their triumph into confusion and despair; and at one burst of his rapid and overwhelming invective, they fled from the bench in precipitation and terror. As for the father, such was his surprise, such his amazement, such his rapture, that forgetting where he was, and the character which he was filling, tears of ecstasy streamed down his cheeks, without the power or inclination to repress them.

“The jury seem to have been so completely bewildered, that they lost sight, not only of the act of 1748, but that of 1758 also; for thoughtless even of the admitted right of the plaintiff, they had scarcely left the bar, when they returned with a verdict of *one*

penny damages. A motion was made for a new trial, but the court, too, had now lost the equipoise of their judgment, and overruled the motion by a unanimous vote. The verdict and judgment overruling the motion, were followed by redoubled acclamations, from within and without the house. The people, who had with difficulty kept their hands off their champion, from the moment of closing his harangue, no sooner saw the fate of the cause finally sealed,* than they seized him at the bar, and in spite of his own exertions, and the continued cry of 'order' from the sheriffs and the court, they bore him out of the courthouse, and raising him on their shoulders, carried him about the yard, in a kind of electioneering triumph.

"I have tried much," continues Mr. Wirt, "to procure a sketch of this celebrated speech. But those of Mr. Henry's hearers who survive seem to have been bereft of their senses. They can only tell you in general, that they were taken captive; and so delighted with their captivity, that they followed implicitly wheresoever he led them; that, at his bidding, their tears flowed from pity, and their cheeks flushed with indignation; that when it was over, they felt as if they had just awaked from some ecstatic dream, of which they were unable to recall or connect the particulars. It was such a speech as they believe had never before fallen from the lips of man; and to this day, the

* No appeal was ever taken, and all the other cases were dismissed.

old people of that county cannot conceive that a higher compliment can be paid to a speaker, than to say of him, in their own homely phrase:—“*He is almost equal to Patrick, when he plead against the parsons.*”

Mr. Henry was emphatically *a man of the people*. Belonging to that class of the Virginia population of that day, which has been happily characterized as the “solid and independent yeomanry”; he courted, and was courted by, the people at large, rather than the aristocracy; who, in a degree of splendor and extravagance rivalling those of their kinsmen in the mother country, had peopled the tidewater section of the colony. It does not clearly appear; nor is it probable, that he was himself conscious how far his successful defence of the people against a privileged class, in this notable cause, awoke among them that restlessness and impatience under royal restraints, which afterwards lit the fires of the Revolution, and led to American independence. He appears to have originated not only the phrase, but the idea and the fact of the “majesty of the people”; and it was before this political shrine that he bowed as a worshipper. As Washington stood first as the military leader, so Henry held the pre-eminence in awakening his countrymen to a sense of their just rights and powers, and in arousing them, by his fervid eloquence, to the assertion of them.

Mr. Jefferson is reported to have remarked that Henry was the "greatest orator that ever lived." Resting his merit upon such authority as Thomas Jefferson, it is not absurd,—as to some admirers of antiquity it has appeared,—to compare Patrick Henry, as an orator, with Demosthenes and Cicero. *Apropos* to those immortal names, Mr. Henry's admiring biographer, the chaste and elegant Wirt, has called attention to the singular co-incidence, that the genius of these three men, thrilled for the first time, their cotemporaries, at the same period of their respective lives; to wit, the age of twenty-seven years. "The first great speech of Cicero," says his biographer, Middleton, "was his defence of Roscius, made when he was twenty-seven"; "the same age," he adds, "at which the learned have remarked, that Demosthenes distinguished himself in the assembly of the Athenians."*

In the year 1764 Mr. Henry removed to the county of Louisa, where he resided between three and four years, at a place called the Roundabout. In May, 1765, he was elected member from that county, to the house of burgesses; and was at once placed on the important committee for courts of justice. He had previously acquired a great reputation in that body,

* It is quite remarkable to notice, too, that John Randolph of Roanoke, made his *début* in his twenty-seventh year, in opposition to Patrick Henry, at Charlotte March Court, 1799.

as counsel in a contested election, before the committee on privileges and elections. On that occasion, his shabby appearance, and awkwardness of manner, in contrast with "the proud airs of the aristocracy" who composed that august body, elicited much comment; and "as he moved awkwardly about in his coarse and threadbare dress, with a countenance of abstraction and total unconcern as to what was passing around him, he was stared at by some as a prodigy, and regarded by others as an unfortunate being, whose senses were disordered." His relative, the late Judge Winston, relating the same incident, says:—"Some time after, a member of the house, speaking to me of this occurrence, said, he had for a day or two, observed an ill-dressed young man sauntering in the lobby; that he seemed to be a stranger to everybody, and he had not the curiosity to inquire his name; but that attending when the case of the contested election came on, he was surprised to find this same person counsel for one of the parties; and still more so, when he delivered an argument superior to anything he had ever heard."

He would be skeptical indeed, who could regard it as a mere co-incidence, that the famous *Stamp Act* was passed by the British Parliament in January 1765, to take effect in the colonies the following November, and that Patrick Henry entered the house of burgesses of Virginia, in the same year. It is true his con-

stituents sent him there to oppose that measure, and to secure such relief from the burden of taxation it imposed, as might be practicable. It is, no doubt, also true, that the spirit of resistance was in him, and perhaps in his people, when he was elected; but it is too much to suppose that he or they dreamed, before it was an accomplished fact, that he would not only pluck the leadership from the leaders, but would kindle a flame there which has not even yet been extinguished. A moment's reflection will show how unlikely the sequel appeared, either to Henry himself, or to the yeomanry he represented.


The house of burgesses was at that time composed, principally, of opulent land-owners and lordly gentlemen, whose birth and education had imbued them with a loyalty to the government of England, scarcely, if at all, exceeded among the residents of England itself. These, too, would instinctively look down with contempt and aversion, upon a frowzy youth coming into their midst, almost unknown, and exhibiting none of those external qualifications which their fastidious tastes were accustomed to recognize as inseparable from greatness. Moreover, the array of talent presented in the persons of such men as Peyton Randolph, Richard Bland, Edmund Pendleton, George Wythe and Richard Henry Lee,—all of whom with many other stars of first magnitude, were members of that house—was calculated to daunt and dis-

may even as bold and fearless a champion as Patrick Henry. Nor is it to be supposed that he was wholly indifferent to these considerations, or unaffected by them. On the contrary, his course of action as a member, shows that they impressed him; and it was perhaps by reason of their very repression of him for a time, that he rode so suddenly and rapidly into his appointed sphere of greatness. Not like an ignorant boor, or a presumptuous upstart, did he fling himself into this august assembly at this critical juncture; but, with a modesty such as could not fail to accompany the abilities he possessed, he watched in silence and respectful deference the progress of events, and waited "to file in under the first champion that should raise the banner of colonial liberty." His famous resolutions,—which Mr. Jefferson said "certainly gave the first impulse to the ball of the revolution,"—were introduced when the session was within three days of its expected close, and after it had become manifest that no other man in the assembly possessed sufficient boldness, to arise from the attitude of submission which had thus far characterized them as a body. In that, the supreme moment of the crisis;—in that "extremity" of man, which is the "opportunity," alike of God and of god-like men,—the clarion voice of one crying in the wilderness, is heard; and constitutional liberty speaks aloud through its chosen messengers—Virginia, and her gifted son. Recognizing,

at length, his apostleship ; it was not strange that he magnified his office, and spoke and acted without respect of persons, when his work was actually begun. It was not strange that, meteor-like, he left behind him, as he moved, a blazing pathway whose brilliancy was seen and acknowledged by those who gazed upon it ; for in that hour he was giving out from his resplendent genius, a ray of that light which quenches darkness, and impels humanity onward towards the freedom which awaits it as a final destiny. As when, at the mandate of power, the sun stood still on Gibeon, in mid-heaven, and the moon in the valley of Ajalon ; so, were kings on their thrones, and courtiers in their orbits around them, checked in mid career, by this heaven-appointed Joshua.

The original resolutions, written by Mr. Henry on the fly-leaf of an old copy of "Coke on Littleton," and offered by him to the house, are as follows—though they were somewhat modified upon their final passage:—

"Resolved, That the first adventurers and settlers of this, his majesty's colony and dominion, brought with them, and transmitted to their posterity, and all other his majesty's subjects, since inhabiting in this, his majesty's said colony, all the privileges, franchises, and immunities, that have at any time been held, enjoyed, and possessed by the people of Great Britain.



"Resolved, That by two royal charters, granted by King James the first, the colonists, aforesaid, are declared entitled to all the privileges, liberties, and immunities of denizens and natural-born subjects, to all intents and purposes, as if they had been abiding and born within the realm of England.

"Resolved, That the taxation of the people by themselves, or by persons chosen by themselves to represent them, who can only know what taxes the people are able to bear, and the easiest mode of raising them, and are equally affected by such taxes themselves, is the distinguishing characteristic of British freedom, and without which the ancient constitution cannot subsist.

"Resolved, That his majesty's liege people of this most ancient colony, have uninterruptedly enjoyed the right of being thus governed by their own assembly, in the article of their taxes and internal police, and that the same hath never been forfeited, or any other way given up, but hath been constantly recognized by the king and people of Great Britain.

"Resolved, therefore, That the general assembly of this colony have the sole right and power to lay taxes and impositions upon the inhabitants of this colony; and that every attempt to vest such power in any person or persons whatsoever, other than the general assembly aforesaid, has a manifest tendency to destroy British as well as American freedom."

After Mr. Henry's death, the above resolutions were found among his papers, in his own hand-writing, and in a sealed envelope; with the following endorsement thereon, also in his own hand-writing:—

“The within resolutions passed the house of burgesses in May, 1763. They formed the first opposition to the stamp act, and the scheme of taxing America by the British parliament. All the colonies, either through fear, or want of opportunity to form an opposition, or from influence of some kind or other, had remained silent. I had been for the first time elected a burgess, a few days before, was young, inexperienced, unacquainted with the forms of the house, and the members that composed it. Finding the men of weight averse to opposition, and the commencement of the tax at hand, and that no person was likely to step forth, I determined to venture, and alone, unadvised, and unassisted, on a blank leaf of an old law-book, wrote the within. Upon offering them to the house, violent debates ensued. Many threats were uttered, and much abuse cast on me, by the party for submission. After a long and warm contest, the resolutions passed by a very small majority, perhaps of one or two only. The alarm spread throughout America with astonishing quickness, and the ministerial party were overwhelmed. The great point of resistance to British taxation was universally

established in the colonies. This brought on the war, which finally separated the two countries, and gave independence to ours. Whether this will prove a blessing or a curse will depend upon the use our people make of the blessings which a gracious God hath bestowed on us. If they are wise, they will be great and happy. If they are of a contrary character, they will be miserable. Righteousness alone can exalt them as a nation. Reader! whoever thou art, remember this; and in thy sphere, practise virtue thyself, and encourage it in others.

P. HENRY."

It was during the debate upon these resolutions that he uttered the memorable words, "Cæsar had his Brutus—Charles the First his Cromwell, and George the Third—"("Treason!" cried the speaker—Treason, treason! echoed from every part of the house);—but rising to a loftier attitude, and fixing on the speaker an eye of the most determined fire, he finished his sentence with the firmest emphasis,—*may profit by their example*. If *this* be treason, make the most of it."

Mr. Randall, in his Life of Thomas Jefferson, says :

"When the news of the Declaratory Act—declaratory of the power of the British parliament to tax the American colonies, reached Virginia, in the spring of 1764, it called forth a remonstrance from the house of

burgesses in the form of an address to the king and a memorial to parliament, in which the asserted right was denied, and its exercise deprecated in earnest though perhaps rather supplicatory terms. The famous stamp act was advanced on its passage through parliament, when these papers, and similar ones from several other colonies, reached England; and they were not sufficient to prevent its consummation. It became a law in January, 1765, to take effect the ensuing November. The news of this, when it reached Virginia, produced a pause among the old Whig leaders. There was a wide difference between remonstrating against an obnoxious proposition, or even taking theoretical grounds against its constitutionality, and making a factious opposition to *law*. The spring session of the burgesses was therefore within three days of its close, before the stamp act was mentioned on its floors!

“The *broken merchant* whose acquaintance we have made at Colonel Dandridge’s, was in the body, a representative from Louisa. His appearance and manners were as rustic as ever.

———“The forest-born Demosthenes,
Whose thunder shook the Philip of the seas,” *

sat with a burning heart to see if none of the old Whig leaders would propose to the house to take

* Lord Byron’s description of Henry.

some step to vindicate the rights of their country. As the session was about closing, on the 30th of May, he took a blank leaf from 'an old Coke upon Littleton,' and penned five resolutions. They assumed the common ground that the colonists brought with them to America all the *rights of British subjects*—that the taxation of the people by themselves or their representatives, was 'the distinguishing characteristic of British freedom'—that all power to lay taxes was in the colonial legislature—and they concluded by spiritedly declaring 'that every attempt to vest such power in any person or persons whatsoever, other than the general assembly aforesaid, had a manifest tendency to destroy British as well as American freedom.' Henry offered these resolutions, and then broke suddenly upon the astonished house with that torrent of burning and vehement declamation, thus described by Jefferson in his memoir :

"'When the famous resolutions of 1765, against the stamp act, were proposed, I was yet a student of law in Williamsburg. I attended the debate, however, at the door of the lobby of the house of burgesses, and heard the splendid display of Mr. Henry's talents as a popular orator. They were great indeed; such as I have never heard from any other man. He appeared to me to speak as Homer wrote.'"

The stamp act, which had so greatly agitated the colonies, was afterwards sullenly repealed by parliament, but was speedily followed up by other legislation still more harsh and injudicious. As if, indeed,—like Rehoboam of old,—with deliberate intent to exasperate the people, measures were adopted for quartering large bodies of rude and insolent soldiers upon the cities and larger towns, and compelling the colonial legislatures to provide for their subsistence. Upon a respectful remonstrance against this, by the colony of New York, the legislative power of that colony was actually abolished by act of parliament, until the outrage was submitted to. Moreover, having imposed certain import duties, which the soldiers they had sent were to see enforced; a board of commissioners was appointed “armed with a power of search and seizure, at their discretion; with authority to call for aid upon the naval and military establishments within the colony; and *with an exemption from prosecution or responsibility before any of the king’s courts, for whatsoever they might do, by any construction of their commission.*” How strange the fatuity of an English parliament not to *know*, that Anglo-Saxon blood *would not* and *could not* long endure a tyranny like this!

It was during this trying period, that the following remarkable conversation occurred, between Mr.

Henry and a friend, at whose house he was visiting, in company with several others. In the light of subsequent events it reads like prophecy.

Being asked, "whether he supposed Great Britain would drive her colonies to extremities?—and if she should, what he thought would be the issue of the war?" he replied, "She *will* drive us to extremities; no accommodation *will* take place; hostilities will *soon* commence—and a desperate and bloody touch it will be." "But," said his friend, "do you think, Mr. Henry, that an infant nation as we are, without discipline, arms, ammunition, ships of war, or money to procure them—do you think it possible, thus circumstanced, to oppose successfully the fleets and armies of Great Britain?"

"I will be candid with you," replied Mr. Henry. "I doubt whether we *shall* be able, *alone*, to cope with so powerful a nation. But, continued he, (rising from his chair, with great animation,) Where is France? Where is Spain? Where is Holland?—the natural enemies of Great Britain. Where will they be all this while? Do you suppose they will stand by, idle and indifferent spectators to the contest? Will Louis XVI be asleep all this time? Believe me, *no!* When Louis XVI shall be satisfied by our serious opposition, and our *Declaration of Independence*, that all prospect of a reconciliation is gone, then, and not till then, will he furnish us with arms, ammunition, and clothing;

and not with these only, but he will send his fleets and armies to fight our battles for us; he will form with us a treaty offensive and defensive, against our unnatural mother. Spain and Holland will join the confederation! Our independence will be established! and we shall take our stand among the nations of the earth!" A gentleman who was present, said:—that, "at the word *independence*, the company appeared to be startled; for they had never heard anything of the kind before even suggested."

On the 24th of May 1774, the house of burgesses of Virginia, having passed an order appointing a day of special prayer for Divine interposition, and "that the minds of his majesty and his parliament may be inspired from above with wisdom, moderation, and justice,"—Governor Dunmore thereupon dissolved the assembly, upon the ground that the said order reflected highly upon his majesty and the parliament of Great Britain.

Eighty-nine of the members immediately withdrew to the Raleigh tavern, formed themselves into an association, and issued an address recommending a general Congress of the colonies. In pursuance of this action, the first Convention of Virginia delegates assembled in Williamsburg, on the first day of the following August. Mr. Henry, who had, a few years before, removed his residence from Louisa, back to his native county, Hanover, was one of the delegates

to this Convention. He was also one of the illustrious seven sent by the Convention, to represent the colony in the Congress to be held at Philadelphia on the first Monday in September following. These deputies were Peyton Randolph, Richard Henry Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison, and Edmund Pendleton.*

Mr. Wirt's exquisite description of the prominent part Mr. Henry took in introducing the continental Congress to its glorious work, could not be omitted here, nor as well supplied by any other pen.

"On the fourth of September, 1774, that venerable body, the old continental Congress of the United States, (toward whom every American heart will bow with pious homage, while the name of liberty shall be dear in our land,) met for the first time at Carpenter's Hall, in the city of Philadelphia. Peyton Randolph, of Virginia, was chosen president, and the house was organized for business with all the solemnities of a regular legislature.

"The most eminent men of the various colonies were now, for the first time, brought together. They were known to each other by fame; but they were personally strangers. The meeting was awfully sol-

*A cotemporary sketch of these seven men, thus speaks of Mr. Henry:—"He is a real half-Quaker,—your brother's man,—moderate and mild, and in religious matters a saint; but the very d—l in politics,—a son of thunder."

emn. The object which had called them together was of incalculable magnitude. The liberties of no less than three millions of people, with that of all their posterity, were staked on the wisdom and energy of their councils. No wonder, then, at the long and deep silence which is said to have followed upon their organization; at the anxiety with which the members looked around upon each other; and the reluctance which every individual felt to open a business so fearfully momentous. In the midst of this deep and deathlike silence, and just when it was beginning to become painfully embarrassing, Mr. Henry arose slowly, as if borne down with the weight of the subject. After faltering, according to his habit, through a most impressive exordium, in which he merely echoed back the consciousness of every other heart, in deploring his inability to do justice to the occasion, he launched gradually into a recital of the colonial wrongs. Rising, as he advanced, with the grandeur of his subject, and glowing at length with all the majesty and expectation of the occasion, his speech seemed more than that of mortal man. Even those who had heard him in all his glory, in the house of burgesses of Virginia, were astonished at the manner in which his talents seemed to swell and expand themselves, to fill the vaster theatre in which he was now placed. There was no ranting—no rhapsody—no labour of the understanding—no straining of the voice

—no confusion of the utterance. His countenance was erect—his eye, steady—his action, noble—his enunciation, clear and firm—his mind poised on its centre—his views of the subject comprehensive and great—and his imagination coruscating with a magnificence and a variety, which struck even that assembly with amazement and awe. He sat down amidst murmurs of astonishment and applause; and as he had been before proclaimed the greatest orator of Virginia, he was now, on every hand, admitted to be the first orator of America.

“He was followed by Mr. Richard Henry Lee, who charmed the house with a different kind of eloquence—chaste—classical—beautiful—his polished periods rolling along without effort, filling the ear with the most bewitching harmony, and delighting the mind with the most exquisite imagery. The cultivated graces of Mr. Lee’s rhetoric received and at the same time reflected beauty, by their contrast with the wild and grand effusions of Mr. Henry. Just as those noble monuments of art which lie scattered through the celebrated landscape of Naples, at once adorn, and are in their turn adorned by the surrounding majesty of Nature.

“Two models of eloquence, each so perfect in its kind, and so finely contrasted, could not but fill the house with the highest admiration; and as Mr. Henry had before been pronounced the Demosthenes, it was

conceded on every hand, that Mr. Lee was the Cicero, of America."

The splendor of the oratory of these two men, led the congress into the error of supposing that their talents were equally great in the details of business. It therefore fell to the lot of Mr. Henry to draft a petition to the king, in behalf of his American subjects; and to Mr. Lee was assigned the task of preparing an address to the people of England.* The disappointment which followed the presentation of the original drafts of these papers, could scarcely be more aptly illustrated, than by an anecdote which Governor Tyler, a warm friend of Mr. Henry, used to relate: it was, that "after these two gentlemen had made their first speeches, Mr. Chase, a delegate from Maryland, walked across the house to the seat of his colleague, and said to him, in an undertone: "We might as well go home; we are not able to legislate

* It was these papers, in connection with other proceedings of the Congress, that called forth the celebrated pamphlet of Dr. Johnson, entitled "Taxation no Tyranny." In the light of subsequent events, it is curious to read that document now; exhibiting, as it does, the shortsightedness of even as great and wise a man as its author; where he labors to prove the *right* of Great Britain to do things which were so manifestly *impolitic* and *hazardous*. Even the "awful eyebrows" of the rugged and imperious Thurlow could not make *expedient* that which his friend Johnson labored so hard to prove was *right* and *lawful*; and, between them, they precipitated that dismemberment of the British Empire, involving the separation of the American Colonies, upon a mere technicality.

with these men":—but that after the house came to descend to details, the same Mr. Chase was heard to remark: "Well, after all, I find these are but men—and in mere matters of business, *but very common men.*"

Upon the adjournment of Congress, after a session of about six weeks, Mr. Henry returned home, and devoted himself to his private affairs, until March 1775; at which time he attended the second meeting of the Virginia Convention,—held now, for the first time, in Richmond. The old St. John's, Protestant Episcopal, church, in which the Convention assembled, still stands on Church hill, and is still a comfortable and commodious house of worship.

It was not long, before Mr. Henry found that his own views and purposes did not accord with those of the majority of the Convention. Just ten years before, he had appeared in the old house of burgesses, almost unknown, and the almost solitary champion of colonial *liberty*: now, albeit his person and his power were well enough known to his compeers; yet, again, the magic of his eloquence was needed to give impulse to colonial *independence*! A fond hope of peace and reconciliation had taken possession of the minds of many of the leading members. The king, it was reported, had graciously received the petition of Congress, and all things seemed to point towards a revival of that loyalty to their sovereign, which had not

been quite *killed*, but only *wounded*, "in the house of its friends." Moreover, the prospect of real war with such a power as Great Britain, was well calculated to make thoughtful men pause and consider, before throwing down the gage; especially, in view of the inequality of parties in such a contest. Accordingly, the proceedings of the Convention, in the early days of the session, were almost *gushing* in their spirit of subserviency and accommodation. Resolution after resolution was passed, conveying the "thanks," and "grateful acknowledgments" of the Convention in various directions; and expressing "ardent wishes" for the return of the "halcyon days" of the past.

But the bold spirit of Mr. Henry could not brook such trifling with the grave issues which his prophetic mind clearly saw confronting the colonies. He well knew that the smiles and blandishments of royalty, and offended prerogative, oftentimes but veiled hearts burning with sinister and vengeful purposes, and were but the flowery *exordia* to that "last argument to which kings resort." He boldly arose, in his place, therefore, and offered the following spirited resolutions:—

"*Resolved*, That a well-regulated militia, composed of gentlemen and yeomen, is the natural strength and only security of a free government; that such a militia in this colony would forever render it unnecessary

for the mother-country to keep among us, for the purpose of our defence, any standing army of mercenary soldiers, always subversive of the quiet, and dangerous to the liberties of the people ; and would obviate the pretext of taxing us for their support.

“That the establishment of such militia is, *at this time*, peculiarly necessary, by the state of our laws for the protection and defence of the country, some of which are already expired, and others will shortly be so : and that the known remissness of government in calling us together in legislative capacity, renders it too insecure, in this time of danger and distress, to rely that opportunity will be given of renewing them, in general assembly, *or making any provision to secure our inestimable rights and liberties from those further violations with which they are threatened.*

“*Resolved, therefore, That this colony be immediately put into a state of defence, and that be a committee to prepare a plan for embodying, arming, and disciplining such a number of men, as may be sufficient for that purpose.*”

The astonishment, and positive alarm, created by the defiant temper of these resolutions, can be better imagined than described. As when one, suddenly smitten, staggers at the unexpected blow ; so, in shocked and startled amazement, the assembly listened to these sturdy declarations of purpose, to sub-

mit no longer to manifest wrong and oppression ; but to resist, if necessary, to the death ! No mincing obsequiousness here ;—no stopping to “crook the pregnant hinges of the knee” ;—no deprecativè expostulation or remonstrance, nor other indication of conscious weakness or culpability :—on the contrary, the undaunted, God-given spirit—kindled at length into wrath by unatoned and unrepented sin,—was now, rather, overleaping the trammels of the flesh, and asserting its equities in the upper spheres of truth and justice.

The speech of Mr. Henry upon these resolutions, as sketched by the graceful pen of Mr. Wirt, is a model in itself, and, to this day, is the *abecedarium* of American youth in the fields of declamation : but, upon the testimony of those who heard it, as it fell hot and glowing from the master’s lips, and blazed through his eyes and action ; the reproduction of it bears to the speech itself, only the relation of the artist’s sketch to the gorgeous tracery of sunset.

The resolutions were adopted, and a committee was appointed to put the colony in a state of defence, according to the tenor of the last resolution. The committee was composed of Patrick Henry, Richard Henry Lee, Robert Carter Nicholas, Benjamin Harrison, Lemuel Riddick, George Washington, Adam Stevens, Andrew Lewis, William Christian, Edmund Pendleton, Thomas Jefferson, and Isaac Zane.

Lord Macaulay thinks, that if the life of the incomparable Clive could have been spared to England a few years longer; his indomitable will, and transcendent abilities, military and executive, would have been sufficient to put down the resistance of the colonies at this time. That such an opinion could find lodgment in a mind like Macaulay's, may be accounted for, only on the ground of national prejudice,—that paradox in English sentiment,—which blinds English eyes to the American prowess which successfully resisted *them*.

“It was on this occasion,” says Mr. Randall, “that Henry poured out that glowing and burning outburst of eloquence, the burden of which was ‘*We must fight*’—so familiar to all Americans—and which, as rendered by Wirt, constitutes one of the most vehement and effective appeals to the passions to be found in the records of Revolutionary declamation, here or elsewhere. Wirt gives as the recollections of Judge Tucker, ‘one of the auditory,’ that the sentence: ‘I repeat it, sir, we must fight! An appeal to arms and the God of hosts is all that is left to us’—was ‘delivered with all the calm dignity of Cato of Utica.’ A number of years since, a clergyman described, in our hearing, the delivery of this speech, as he had it from ‘an old Baptist clergyman,’ who was also ‘one of the auditory’; and the account is so different in the whole coloring it throws over the scene,

that we give it for what it is worth. Instead of the formal grandeur of the 'Roman Senate,' the 'assembly of the gods,' and the 'calm dignity' of the stoical Cato, mentioned by Judge Tucker, the old Baptist clergyman described an assembly of men too terribly intent to regard their attitudes, or their looks, or their dignity in any respect. Henry rose with an unearthly fire burning in his eye. He commenced somewhat calmly—but the smothered excitement began more and more to play upon his features and thrill in the tones of his voice. The tendons of his neck stood out white and rigid 'like whip-cords.' His voice rose louder and louder, until the walls of the building, and all within them, seemed to shake and rock in its tremendous vibrations. Finally, his pale face and glaring eye became 'terrible to look upon.' Men 'leaned forward in their seats,' with their heads 'strained forward,' their faces pale, and their eyes glaring like the speaker's. His last exclamation—'Give me liberty or give me death'—was like the shout of the leader which turns back the rout of battle!

"The old clergyman said, when Mr. Henry sat down, he (the auditor) felt '*sick* with excitement.' Every eye yet gazed entranced on Henry. It seemed as if a word from him would have led to any wild explosion of violence. Men looked beside themselves."

The efforts made, about this time, by the royal governors of the colonies, to deprive the people of the means of resistance, by prohibiting the importation of gunpowder, and seizing the powder and arms deposited in the various magazines, is a scrap of history too familiar to require notice here. It is referred to, only to show the spirited and rather indiscreet conduct of Mr. Henry, in compelling restitution as far as the colony of Virginia was concerned.

As soon as intelligence reached him that the powder and arms had been carried off from the magazine at Williamsburg, by troops acting under the orders of Governor Dunmore; he collected together the independent company of Hanover, under arms; and assembled also the county committee at the same time. "When assembled, he addressed them with all the powers of his eloquence; laid open the plan on which the British ministry had fallen to reduce the colonies to subjection, by robbing them of all the means of defending their rights: spread before their eyes, in colors of vivid description, the fields of Lexington and Concord, still floating with the blood of their countrymen, gloriously shed in the general cause; showed them that the recent plunder of the magazine in Williamsburg was nothing more than a part of the general system of subjugation; that the moment was now come in which they were called upon to decide, whether they chose to live free, and hand down the

noble inheritance to their children, or to become hewers of wood and drawers of water to those lordlings, who were themselves the tools of a corrupt and tyrannical ministry—he painted the country in a state of subjugation, and drew such pictures of wretched debasement and abject vassalage, as filled their souls with horror and indignation—on the other hand, he carried them, by the powers of his eloquence, to an eminence like Mount Pisgah; showed them the land of promise, which was to be won by their valor, under the support and guidance of Heaven; and sketched a vision of America, enjoying the smiles of liberty and peace, the rich productions of her agriculture waving on every field, her commerce whitening every sea, in tints so bright, so strong, so glowing, as set the souls of his hearers on fire. He had no doubt, he said, that that God, who in former ages had hardened Pharaoh's heart, that he might show forth his power and glory in the redemption of his chosen people, had, for similar purposes, permitted the flagrant outrages which had occurred in Williamsburg, and throughout the continent. It was for them now to determine, whether they were worthy of this divine interference; whether they would accept the high boon now held out to them by Heaven—that if they would, though it might lead them through a sea of blood, they were to remember that the same God whose power divided the Red sea for the deliverance

of Israel, still reigned in all his glory, unchanged and unchangeable—was still the enemy of the oppressor, and the friend of the oppressed—that he would cover them from their enemies by a pillar of cloud by day, and guide their feet through the night by a pillar of fire—that for his own part, he was anxious that his native county should distinguish itself in this grand career of liberty and glory, and snatch the noble prize which was now offered to their grasp—that no time was to be lost—that their enemies in this colony were now few and weak—that it would be easy for them, by a rapid and vigorous movement, to compel the restoration of the powder which had been carried off, or to make a reprisal on the king's revenues in the hands of the receiver-general, which would fairly balance the account—that the Hanover volunteers would thus have an opportunity of striking the first blow in this colony, in the great cause of American liberty, and would cover themselves with never-fading laurels."

The effect of his harangue was electrical; the ardor and enthusiasm of the people were excited to fever heat, and under the spell of his oratory they clamored for the leadership of Mr. Henry against the perpetrators of the outrage. The commanding officer of the company immediately resigned and took a subordinate position, and Mr. Henry was invested by acclamation with the chief command of the Hanover vol-

unteers. The line of march was forthwith taken up for Williamsburg, and it is said that not less than five thousand men crowded to his standard in the expedition. Numerous dispatches were sent from influential quarters, begging him to desist from his undertaking, but all in vain. He pressed steadily forward until met at Doncastle's Ordinary, in New Kent county, by a messenger from Lord Dunmore, bearing the receiver-general's bill of exchange for £330, the sum demanded for the stolen powder. Upon a proper receipt for the money being given, the volunteers quietly returned to their homes.

The next step in this *gunpowder plot*, was a thundering anathema from Governor Dunmore against the "outrageous and rebellious practices of a certain Patrick Henry, and a number of deluded followers"; and, "strictly charging all persons upon their allegiance, not to aid, abet, or give countenance to the said Patrick Henry, or any other persons concerned in such unwarrantable combinations." To this, Mr. Henry paid no manner of attention, but proceeded, amid the acclamations of his countrymen, to take his seat in Congress. "Thus," says Mr. Wirt, "the same man, whose genius had in the year 1775 given the first political impulse to the revolution, had now the additional honor of heading the first military movement in Virginia, in support of the same cause."

Mr. Henry was afterwards appointed by the Con-

vention, colonel of the first regiment of Virginia, and the commander of all the forces raised, and to be raised, for the defence of the colony. This commission, as well as the colonel's commission afterwards granted him by Congress, he resigned, by reason of certain slights which were put upon him as a military man. It must be admitted that the conduct of the committee of safety, or of some members of it at least, did not evince that confidence in the military skill and judgment of Colonel Henry, which his appointment by the Convention warranted. Whether this distrust arose from his known want of military training, or from the apparent rashness with which he had conducted the gunpowder affair, does not appear; but certainly no authentic evidence appears that raises a just suspicion upon his personal bravery, or the high esteem in which his fellow countrymen ever held him. That he never became a military leader, can be most rationally explained by the fact, that George Washington was the heaven-appointed chieftain alike of Virginia, and of America. But were other evidence needed, of the estimate in which Virginia held Mr. Henry, in those times which Tom Paine said "tried the souls of men"; that evidence, convincing and conclusive, is furnished by his flattering election, on the first ballot, as the first governor of the commonwealth of Virginia, and his unanimous re-election, for another term, to the same high office.

At the end of his second term, being ineligible to a second re-election, he retired to an estate which he had purchased with the proceeds of sale of his Hanover farm, in the county of *Henry*; a county which had been organized, and had taken its name from him whilst governor. The neighboring county of *Patrick*, was afterwards also named in honor of him. He retired from office with the purpose of following private pursuits, but in 1780 again entered the general assembly, where he continued to serve until again elected governor of the State, in the autumn of 1784. He resigned the gubernatorial chair at the end of two years, on account of complications in his private affairs, and resumed the practice of his profession, fixing his residence in Prince Edward county. In December, 1786, he was elected by the legislature, one of the deputies to the Convention held at Philadelphia, for the purpose of revising the Federal Constitution. This appointment he declined. He represented the county of Prince Edward in the Convention of 1788, which adopted the Federal Constitution. His strenuous opposition to that instrument is too well known for comment here, though the later history of the Republic has shown how well grounded were many of the apprehensions he gave utterance to, in the remarkable debates of that assembly of giants, in which he took a conspicuous part. The greatest inconsistency of his public career appears,

perhaps, in the change of views which came over him after the adoption of the Constitution. In 1791 he declined a re-election to the general assembly, and this closed his career as a public servant. The next three years he devoted to the practice of law. In 1794 he retired from the bar, took up his residence at Red Hill in Charlotte county, and spent the remnant of his life amid the sweet retirements of home.

It is not to be supposed, however, that his country would tacitly permit such a man, to sink back into that obscurity which common men may enjoy, and which broken-down politicians may suffer. He was, accordingly, for the third time, elected governor of the State, in 1796, but declined the office. He also declined the embassy to Spain, and to France; and it is said that the portfolio of the Secretary of State, in President Washington's Cabinet, was also tendered to him, and declined.

In 1799 he was induced to emerge from his retirement, and take an active part in the stirring canvass which succeeded the famous "resolutions of '98," passed by the Virginia assembly, declaring the Alien and Sedition laws of the Federal Congress unconstitutional. The last speech of his life was delivered at Charlotte March Court 1799, in opposition to the Virginia resolutions; and, as an evidence that he kept to the last his wonderful hold upon the confidence and affection of the people, he was elected to the general

assembly by a commanding majority, even upon the unpopular platform he occupied on that occasion. He died, however, on the 6th day of the following June, and thus never served in the office to which he had been elected. It was in opposition to Mr. Henry in that notable political contest, that John Randolph of Roanoke, made his first appearance as a public man.

Mr. Henry was twice married: first, at the age of eighteen years, to Miss Shelton of Hanover county, who died in 1775; afterwards, in 1777, to Dorothea, daughter of Nathaniel W. Dandridge, Esq. By his first wife he had six children; by his last wife, nine. In all domestic and social relations, Mr. Henry was attractive and charming. A devoted husband, an affectionate and indulgent father, a kind neighbor, a staunch and steadfast friend. In the frugality and simplicity of his habits of life, one is reminded of De-Witt, the joint-author with Sir William Temple, of the famous "Triple Alliance;" of whom it has been written, by the prince of essayists, that:—"while Clarendon was amazing London with a dwelling more sumptuous than the palace of his master; while Arlington was lavishing his ill-gotten wealth on the decoys and orange-gardens, and interminable conservatories of Euston,—the great statesman who had frustrated all their plans of conquest, and the roar of whose guns they had heard with terror, even in the

galleries of Whitehall, kept only a single servant, walked about the streets in the plainest garb, and never used a coach except for visits of ceremony."

That a man like Patrick Henry, who, for nearly forty years stood forth conspicuous and almost pre-eminent, did not escape detraction and calumny, is not remarkable: yet *it is* remarkable to what an extent the criticisms unfavorable to him, are but vague generalities, or condemnations of characteristics which, at the worst, are not crimes, but, humanly speaking, only faults. For example, he has been denounced because in the latter part of his life the "curse of prosperity" fell upon him; because, after devoting the prime and vigor of his manhood to the service of his country, and thus remaining poor—he managed by a few years' exercise of his great abilities, in private pursuits, to acquire wealth *and die rich!*—that because, in the lapse of years, the collateral incidents and springs of motive have perished and been forgotten (like the authors of the calumnies themselves), and it stands out a naked and imperishable fact, that he resigned all military appointments, and never became a soldier, he was therefore a *coward!*—that because, in his declining years, perchance a pardonable pride may have stirred his heart, in looking back over his own marvellous career, he was therefore a *pedant* and a *demagogue!* It is fortunate that in God's economy, the calm dispassionate scrutiny of after genera-

tions can hold an even balance, and justly weigh charges like these. It is fortunate that in the crucible of time, the filth thrown by devilish hands is burnt away from the records of great men, and that true history is evolved, even though the flies and lice which plagued the times are doomed to perish.

Mr. Randall, the author of the *Life of Thomas Jefferson*, says :

“Patrick Henry was not without his share of human weaknesses. If he had faults, an honest change of opinion, however mistaken, is not to be ranked as one. He was unquestionably as honest in the last act of his public life as he was in that glorious first one, when, an obscure young man, he threw himself in front of the old Whig leaders of Virginia, and lit the torch of the Revolution. Except in his divine gift of oratory, there were others perhaps greater than he; but not one was so indispensable. He was the Tribune of the people—the exponent of their innermost hearts—the master of the magical key which unlocked and gave the control of their minds. There was a lyrical splendor and depth of feeling in his oratory which moved the most learned and saturnine; but when it descended on the thirsty and loving ears of the multitude, it fell like flame on dry combustibles. There was not a passion or emotion in the common heart, which the mighty master could

not as rapidly touch singly or in combination as the skillful player touches the keys of his instrument. Every note in the heart's diapason was within his perfect command, from the tenderest emotion of love or pity to the fierce extremity of rage; and he could dissolve the brown multitude into unwonted tears, or precipitate them raging and roaring on the foe. He was the first—incomparably the first—orator of his country. None approached him but (in his great moods) titanic John Adams.

“When Patrick Henry went down to the grave in 1799, he left not a warmer, a braver, or a truer heart behind. All that was erring or drossy in his career, then perished. His labors and his motives alone survived; and his fame—not an abstraction resting on a cold conviction of the understanding, but a sentiment bearing somewhat the warmth of personal love—was left a patrimony to his State.

“That State has been the teeming mother of great men. The American who has closely studied the history of the Revolution—whose heart has kindled to that great epic—visits Virginia for the first time with associations and memories which kindle at every step. Every ripple of a Virginia river, every sigh of a Virginia breeze, syllable to his ear the names of her great dead. And in the long array, not a name comes oftener or warmer before the mind's eye and ear than that of Patrick Henry.”

Mr. Henry was a devout student of the Bible, and a sincere believer in the Christian religion. For the *loose times* in which he lived, in a generation suffering from the demoralizations of war, his walk and conversation among men were remarkably pure. It is said that he had, through life, his devotional hours for each day, in which he locked himself in his private apartment, and gave himself up to personal communion with God, and study of the Word. His favorite religious books were Doddridge's "Rise and Progress of Religion in the Soul," the great "Analogy" of Bishop Butler, and Soame Jenyn's "Views of Christianity." The last named book he published and circulated among the people, at his own expense, whilst governor of Virginia.

Mr. Henry was not a trained lawyer. Indeed he was even below mediocrity in those things which constitute the well-furnished practitioner; that is to say, knowledge of law, experience in practice, and an education embracing information in nearly all branches of learning. Moreover, he was woefully deficient in the two indispensable elements of a lawyer—industry and studious habits. His neglected youth—the "seed-time of life"—of course could never be reclaimed, and the demands of his country precluded the opportunity for the beggarly attempt at compensation in maturer years for the irreparable loss, even if he had been constitutionally equal to the endeavor. Before

a jury however, in defence of criminals, and even in civil cases, his matchless eloquence and subtle reasoning powers made him truly formidable; nor did these fail to move even the steady minds of learned and sober judges, on occasion. The greatest forensic effort of his life, perhaps, was in the celebrated case of the British debts. This cause he twice argued in the Circuit court of the United States; first, in 1791, before Judges Johnson, Blair and Griffin; and again in 1793, before Judges Jay, Iredell and Griffin. It has been stated that the Countess of Huntingdon, after hearing the speeches in that great cause, declared that such arguments in Westminster Hall would win peerages for their authors.

An exceedingly interesting incident in connection with Mr. Henry's argument in the British debts case, related by John Randolph of Roanoke, is given by Mr. Bouldin in his "Home Reminiscences." Mr. Randolph said, "that when a lad he witnessed the trial of the case of the British debts, in which Henry appeared against the payment of the debts. When the case was about to come on he (Randolph) got near the judges by the favor of some one, and retained his position during the trial for that day. A dispute arose in a low tone between the judges (Iredell and Chase, I think), as to whether Henry was a great man and an orator. Chase* said he was; Ire-

* Judge Chase did not sit in this case, and was not a Federal Judge at the time. He was appointed three years afterwards, in 1796.

dell that he was not. The dispute became so warm that they determined to decide the question immediately. So when John Marshall, afterwards Chief Justice of the United States, had finished speaking, they called on Henry next, though they knew that he was to speak last on that side.

"Mr. Henry was sitting with his head resting on the bar, wrapped up, and appeared to be old and infirm, and with unaffected surprise raised his head and said: 'They had arranged for others to speak before him, that he was not prepared to go on.' The court insisted, but Henry urged his age and debility as a reason for not taking the laboring oar. The court insisted still, when at last Henry yielded.

"After some short time he commenced to raise himself up to an erect position in order to speak. . . . He complained before he had gotten fairly erect, that 'an old man, trembling on the brink of the grave, had been made to take the laboring oar in that great cause in preference to young men in the prime of life, and much more able than he in his best days—he who had been in his best days but feeble.' His exordium over, he "took a rapid view of what England had done when she had been unfortunate in arms, and of the condition of the people during the war, and what would have been their fate had England been successful; and having arrived at the highest point of elevation, he made one of his solemn

pauses, and raised up his hands. Mr. Randolph said his hands *seemed to cover the whole house*. While the color would come and go in the face of Judge —, Iredell sat with his mouth wide open, and at this pause exclaimed: "*By —! he is an orator.*"

THOMAS JEFFERSON.

1

THOMAS JEFFERSON.

It is a voluminous catalogue which chronicles the men who have left a deep impression upon their own generation, and upon the world at large, by the exercise of their great powers in field or forum. Almost every age teems with brilliant characters who have astonished their own and succeeding times, either by the desolations they have wrought, or the monuments they have reared for men to gaze at in awe and wonder. The aggregation of the deeds and utterances of such magnates of the earth, constitutes the world's history, and the world's progress; and it is the "calm joy of the student" to gather up and preserve these cosmical treasures.

But to the citizen who loves his own country best of all, and who dwells with pride and delight upon the contemplation of its glory and its gain; how much more valuable do those men appear, who, whilst incidentally contributing to the world's treasury, yet especially, and by intention, shape and crystallize the very destiny of the land that produces them. These men,

like the masters of science and of art, leave behind them monuments which the world admires, but which their countrymen own and enjoy, and transmit to their children as a birthright.

Of such benefactors, Thomas Jefferson ranks among the greatest; and no character in history has, more signally than he, stamped his own personality upon his own country. Certainly no American can be named as his rival in this particular. As justly as Washington is termed the "father of his country," may Jefferson be considered the author of the Republic under which our country has, in her short and amazing history of a hundred years, become, in some respects, the greatest nation of the earth; and this, although he took little or no part in the actual framework of the Constitution which was finally adopted. Though somewhat trite, the expression is no less true, that whilst Washington was the *sword*, Jefferson was the *pen* of America. It is not unfair in general, nor unjust to his co-laborers and compatriots, to test the question of his merit by a hypothetical proposition. If Jefferson's work should be blotted out from the history of the Republic, what would the sword of Washington have accomplished for his people beyond mere independence of the rule of England? Whence, but from Mr. Jefferson's brain, sprang the idea of a government *of the people, by the people, and for the people*? Whose pen but his formulated, or could have formu-

lated, the novel and untried theories, revolving in his mind, into a fabric of government which should be self-existent, so long as the purity and integrity of the people—the foundation on which the structure rested—should continue? What a problem, for human genius to work out, was that which confronted Jefferson and his compeers, when the nationality of the American colonies had become an accomplished fact! Views and theories of Greek and Roman writers, and the experiments of all the ages and sages of the past, spread before them treasures of thought and of effort, in a profusion even too great for convenient discrimination and choice. Their own mother country, too, spread before them her incomparable annals; and held up to their vision her glorious constitution, inviting and challenging comparison with all antecedent ideas of governmental grandeur and stability, and by its very excellence luring all the American Fathers towards its exact reproduction in the new Western World. They had learned that all species of human government were reducible to three fundamental systems, namely:—Democracy, where the sovereign power is lodged in an aggregate assembly of the people;—Aristocracy, where it is lodged in a select council;—and Monarchy, where it is entrusted in the hands of a single person. They had learned that the first of these—the Democracy—whilst it was presumed to embody the qualities of purity and good

intention, yet lacked the wisdom of the Aristocracy, and the strength of the Monarchy. They had learned, too, that all these systems had been tried, time and again, under varied conditions and circumstances, and had failed of their design. They had learned of states which "agitated by the intrigues of the ambitious, by largesses from the rich and factious, by the venality of the poor and idle, by the influence of orators, by the boldness of the wicked, and the weakness of the virtuous, had been convulsed with all the *inconveniences of democracy*." They had learned that "the chiefs of some countries, equal in strength, and mutually fearing each other, had formed impious pacts and nefarious associations; and, apportioning among themselves all power, rank, and honor, had arrogated privileges and immunities; had erected themselves into separate orders and distinct classes; had reduced the people to their control; and, under the name of *aristocracy* the state had been tormented by the passions of the great, and the rich." They had learned that "*sacred impostors*, tending by other means to the same object, had abused the credulity of the ignorant: that, in the gloom of their temples, behind the curtain of the altar, they had made their gods act and speak; had given forth oracles, worked miracles, ordered sacrifices, levied offerings, prescribed endowments; and, under the names of *theocracy* and of *religion*, the State had been tormented by the passions of the priests."

They had learned of nations which “wearied out by the disorders of their tyrants, to lessen the sources of evil, had submitted to a single master; and, under the name of *monarchy*, had been tormented by the passions of kings and princes.” All these things they had learned; and, worse than all of these, they had themselves seen, within the range of their own experience, that even the British Constitution,—combining, as it did, all three of the fundamental forms of government in exquisite balance and harmony, (especially after the purifying fires of the Revolution,)—was yet capable of exercising unmitigated tyranny under given circumstances. “Thus”—it must have appeared to them, that—“the same principle, varying its action under every possible form, was forever attenuating the consistence of states, and an eternal circle of vicissitudes flowed from an eternal circle of passions.” Is it matter of wonder if they “sat down astonished” and bewildered amid the disappointing spectacle of governmental ruin and failure, which the world’s antecedent history furnished? Is it matter of wonder if they wept over the ashes of the past; and, with covered heads, sunk into gloomy meditations on all human things?

It will be a curious and interesting study to gather up the threads of Thomas Jefferson’s life, and ascertain, as best we may in the limited space allotted to

the subject, what manner of man was he whose lot it was to be the leading spirit in the great governmental experiment, which has, these hundred years and more, been guiding the destinies of a great and growing people.

Of Welsh extraction, the first trace of the Jefferson family, in Virginia, reaches back into the very dawn of Virginia's history. "They were," says Mr. Randall, "among the first settlers of Virginia. One of them was a representative in the colonial assembly convened by Governor Yeardley, on the 30th of July 1619, in the choir of the church at Jamestown,"—"the first legislative body of Europeans," he adds, "that ever assembled in the New World." The white population of Virginia at that time, including women and children, was about six hundred.

Colonel Peter Jefferson, the father of Thomas Jefferson, was born in 1708, and was in early life, like George Washington, a surveyor. He was also colonel of his county, and a member of the house of burgeses. In 1735 he became the owner of a thousand acres of land "at the east opening of the gap where the Rivanna passes through the Southwest Range." This tract embraced the "little mountain," afterwards named Monticello. Four hundred adjoining acres were purchased and added to this tract, and the whole farm was called Shadwell. It is said that the price paid by Colonel Jefferson for the additional four

hundred acres was "Henry Weatherbourne's biggest bowl of arrack punch!"

In 1738, Colonel Peter Jefferson married Jane Randolph, eldest daughter of Isham Randolph, of Dungeness. Richard Randolph, of Curles, the grandfather of John Randolph, of Roanoke, was a brother of Isham Randolph, of Dungeness, the grandfather of Thomas Jefferson; so that John Randolph, of Roanoke, and Thomas Jefferson had a common parentage in the third generation before themselves. Their great-grandfather was William Randolph, of Warwickshire, England, who settled at Turkey Island, in James river, some twenty miles below Richmond, about the year 1660. It has been well and truthfully said, that "many were the eminent statesmen, warriors, churchmen and scholars, who sprung from this stock." Among the *scholars* of the Randolph line, in England, was the celebrated wit and poet, Thomas Randolph, "whom Ben Johnson thought worthy to be enrolled among his adopted sons"; and, for ages the Randolphs were "connected by blood or alliance with many of the most distinguished families in the English and Scotch peerage, and with royalty itself."

The third child, and oldest son, of Peter and Jane Jefferson, was Thomas Jefferson, author of the Declaration of Independence, third President of the United States, and founder of the University of Virginia. He was born at Shadwell, in Goochland (now Albe-

marle) county, Virginia, on the 2d day of April, 1743, [O. S.] It is said that at the time of his birth, the trails of hostile Indians were yet fresh on the lands of his father, and through the adjacent hills. From his second to his ninth year, Thomas Jefferson's home was at Tuckahoe, on James river, near Richmond. His school-boyhood began here, at the age of five years. At nine, his father's family returned to Shadwell, where he learned Latin, Greek and French, at the school of a Scotch clergyman of the Church of England, named Douglass. After the death of his father, which occurred when young Jefferson was about fourteen years of age, he went to the school of Rev. Mr. Maury. For about two years he devoted himself to hard study, under the training of this scholarly gentleman; and in 1760, at the age of seventeen years, was entered in an advanced class at William and Mary College.

Both at school and at college his habits of life and of study conformed to the high standard of his early training, and to the example of the best characters he came in contact with. His sound judgment and high moral aims, when a youth, are beautifully exhibited in the following extract from a letter written by him while President of the United States, to his grandson:

“Your situation, thrown at such a distance from us, and alone, cannot but give us all great anxieties for

you. As much has been secured for you by your particular position, and the acquaintance to which you have been recommended, as could be done towards shielding you from the dangers which surround you. But thrown on a wide world, among entire strangers, without a friend or guardian to advise; so young, too, and with so little experience of mankind, your dangers are great, and still your safety must rest on yourself. A determination never to do what is wrong, prudence and good humor, will go far towards securing to you the estimation of the world. When I recollect that at fourteen years of age, the whole care and direction of myself was thrown on myself entirely, without a relation or friend, qualified to advise or guide me, and recollect the various sorts of bad company with which I associated from time to time, I am astonished I did not turn off with some of them, and become as worthless to society as they were. I had the good fortune to become acquainted very early with some characters of very high standing, and to feel the incessant wish that I could ever become what they were. Under temptations and difficulties, I would ask myself—what would Dr. Small, Mr. Wythe, Peyton Randolph do in this situation? What course in it will insure me their approbation? I am certain that this mode of deciding on my conduct, tended more to correctness than any reasoning powers I possessed. Knowing the even and dignified line they pursued, I

could never doubt for a moment which of two courses would be in character for them. Whereas, seeking the same object through a process of moral reasoning, and with the jaundiced eye of youth, I should often have erred. From the circumstances of my position, I was often thrown into the society of horse racers, card players, fox hunters, scientific and professional men, and of dignified men; and many a time have I asked myself, in the enthusiastic moment of the death of a fox, the victory of a favorite horse, the issue of a question eloquently argued at the bar, or in the great council of the nation, Well, which of these kinds of reputation should I prefer? That of a horse jockey? a fox hunter? an orator? or the honest advocate of my country's rights? Be assured, my dear —, that these little returns into ourselves, this self-catechising habit, is not trifling nor useless, but leads to the prudent selection and steady pursuit of what is right."

Two years of close application at William and Mary, if they did not make a finished scholar of this gifted young man, at least laid the broad and deep foundation for the splendid attainments of his riper years. Fifteen hours of study constituted his daily task at college; and who shall tell how much more his untiring mind snatched from the daily round of his after life, when his prodigious public duties

pressed upon him? "He united," says one of his biographers, "what is not common among students, a decided taste for both mathematics and the classics."

Mr. Jefferson himself writes to a friend in 1812:—"When I was young, mathematics was the passion of my life. The same passion has returned upon me, but with unequal power. Processes which I then read off with the facility of common discourse, now cost me labor and time, and slow investigation." He left college a thorough scholar in Latin, Greek and French—each and all of which languages he read habitually; and later in life he mastered Anglo-Saxon, Italian and Spanish, and acquired some knowledge of German also. Being a great admirer of Macpherson's poems, which appeared about the time he went to college, he is said to have actually undertaken the Gaelic language, with the view of reading Ossian in the original. A letter of his is extant, to a gentleman in Scotland, requesting Macpherson's permission for him to have a manuscript copy taken of the original poems!

His accomplished biographer, Mr. Randall, in summing up the elements of his education, says: "In a word, there was no grand department, and scarcely a branch of liberal learning then taught, in which he was not comparatively well versed; and he seems to have relished them all with two exceptions—ethics and metaphysics. He greatly approved of reading

works calculated to foster the moral sense. . . . He repeatedly expresses his unbounded admiration of the teachings of Christ, putting them above all other written moral systems. But it must be confessed that as a *science*, he derided ethics." . . . "Mr. Jefferson," continues Mr. Randall in handsome style, "does not perhaps express himself so pointedly on any occasion against the study of metaphysics, but he evidently had little relish for it. His mind was rather objective than subjective in its tendencies. He was eminently perceptive. He studied the actual, and his philosophy had in it a strong dash of utilitarianism. Recondite speculation, having no connection with practical questions, and especially with practical interests, could not long interest his attention. Though not destitute of imagination, and even fond of its higher *objective* creations, as for example, in the Greek poets, he could not tolerate its intrusion in systems designed to influence the sober realities of life, or the solemn questions of the hereafter. And from faculties so peculiarly sharp and alert, it was not easy to disguise the boundaries between the real and unreal—between the terra-firma of reason and the cloud-land of hypothesis. A great gulf separated them, which no fog of words could hide; and though the rainbow played on that fog, the stern practicalist looked through and spurned what, to him, was the abasement of self-delusion, or the criminality of in-

tentional deceit." . . . "His early reading was wide and various, including, in chosen departments, most of the standards of the Greek, Latin and English tongues, and, to a considerable extent, of the French and Italian. He was more partial to the Greek than the Roman literature; and among the Greeks, the Athenians were, in all respects, his chosen people. In the "dense logic" and burning declamation of oratory, he placed Demosthenes immeasurably above Cicero; but he ranked the philosophies of the latter with those of Socrates, and above those of Epictetus." . . . "For fiction, he had so little taste, that nearly every work he ever read of this class could here be stated. . . . He disapproved of much novel reading for the young—but his own abstinence was founded on pure disinclination. He was wont to ridicule the morbid taste for the mysterious and horrid school, which rose in his day (Mrs. Radcliffe's school), by declaring that when a young man he often passed sleepless nights, until he hit upon the excellent expedient of mentally composing a "love and murder" novel—that whenever he was sleepless, he took it up where he had left it off, and that so capital an opiate was it, that before getting three pages he was always sound asleep!"

The liberal and comprehensive education which Mr. Jefferson received at school and at college,—and, to which he added fresh stores every day of his long and

varied life—was supplemented by a five years' course of law studies. He was so fortunate as to be a special favorite among the favored few, whom the great Chancellor Wythe received as law students; and it may well be supposed that such a student, with such a mind, and under such a guide and teacher, became thoroughly proficient in the learned profession.

In Mr. Jefferson's brilliant career as a statesman,—a career which few in England, and none in America, can justly rival,—one is apt to lose sight of the fact that, in addition to his extensive acquirements as a scholar, he was also an accomplished and thoroughly furnished lawyer. It is true that his experience as a practising lawyer was extremely limited, by reason of the demands, of a public character, which his country so soon and throughout so long a period made upon him; yet it is safe to assume that his professional career would have been a remarkable one, when it is seen that "during the first two years of his practice he was employed in about two hundred suits."

Besides a little natural defect or hesitation in articulation, he appears to have lacked talent as a speaker, and to have attempted public speaking only under compulsion. Indeed, it would have been remarkable if this had been otherwise, since Nature, in the impartial distribution of her gifts, had already so wondrously favored him. To his intimate friend, Patrick Henry, (who so greatly lacked many of Jefferson's

special gifts,) had fallen this choice endowment in an eminent degree; and it would almost seem that in their joint careers in the service of their common state and country, Providence had designed them as the complements of each other. Mr. Jefferson's "graceful pen" and Mr. Henry's "supernatural voice" are found in all the leading actions of the times, both in the colonial and continental assemblies—of which both were almost invariably members; and it is difficult to imagine what would have been the result, had the part of either of these gifted sons of Virginia been omitted from the grand drama which was enacted in their day.

"During Mr. Jefferson's law course of five years, he usually spent the summer months at home, at Shadwell, where the rest of the family continued to reside. The systematic industry of his college life continued. Notwithstanding the time given to company, he contrived to pass nearly twice the usual number of hours of law students in his studies. He placed a clock in his bedroom, and as soon as he could distinguish its hands in the grey of the summer morning, he rose and commenced his labors. In winter, he rose punctually at five. His hour of retiring in the summer, in the country, was nine—in the winter, at ten. At Shadwell, his studies were very little interrupted by company. He usually took a gallop on horseback during the day, and at twilight

walked to the top of Monticello. An hour or two given to the society of his family, and the favorite violin, completed the list of interruptions, and still left fourteen or fifteen hours for study and reading.”*

His reputation as a lawyer, even in the early days of his professional life, is amply shown by the fact that the distinguished lawyer, Richard Carter Nicholas, upon retiring from the bar to engage in the public service of his country, offered his unfinished business to him—which splendid opening for a young lawyer he was compelled to decline from the pressure of his own practice. His high standing professionally is also shown by the following extracts from Mr. Randall’s interesting biography:—

“Mr. Jefferson’s marked position in his profession, admits of no question. He was employed in important causes by the most distinguished citizens of the colony, and not unfrequently by gentlemen of standing in the other colonies and in England. Among his Virginia clients appear in the register such names as those of the Blands, Burwells, Byrds, Carters, Careys, Harrisons, Lees, Nelsons, Pages and Randolphs. The list embraces several royal councillors of state, and other crown officers—the foremost of the lowland grandees—the most prominent men of the colony in all particulars, who were not themselves lawyers. We

* Randall’s Life of Thomas Jefferson.

find him in various instances associated in the trial of causes with Mr. Wythe, Mr. Pendleton, or Peyton Randolph; and, in one case, retained as associate *counsel* with the Attorney-General, by Colonel Corbin (the Receiver-General), who himself acted as the *attorney*, in a suit brought by Ex-Governor Dinwiddie, then in England, against a citizen of Virginia.” . . .

. . . “Of Mr. Jefferson’s erudition and ability as a lawyer, the most substantial proofs remain. They are to be found in his portion of the revision of the laws of Virginia—and, we may add, in the actual post of pre-eminence assigned him in that revision by such colleagues as Wythe and Pendleton—in his Reports of the Decisions of the General Court of Virginia—in his Notes on Virginia—in his written opinions and papers as Secretary of State—in his Parliamentary Manual—in his paper prepared for the use of counsel in the Batture case*—in his correspondence—and in a multitude of citations and annotations, scattered through his books. . . . Taken together, no intelligent investigator will presume to deny that they show him to have been one of the most learned and discriminating lawyers of a period when wide and profound erudition was probably more common—or, at least, more universal—at the American bar than now.”

*A controversy between the city of New Orleans and a claimant of the “Batture” shoal in the Mississippi river. This controversy occurred while Mr. Jefferson was President of the United States.

In 1769, in his twenty-seventh year,—that mystic period of life at which nearly all great men appear to have made their *début* in the public arena—Mr. Jefferson entered the house of burgesses of Virginia, as member from Albemarle county. Notwithstanding his youth and inexperience, he was selected to draft the customary resolutions, as heads for an address, on the part of the house, in reply to the governor's speech. His resolutions were adopted in the exact form in which they were presented by their youthful draftsman; but, in spite of his talents and accomplishments, he did not escape that *furnace of affliction*, to which, perhaps, all meritorious aspirants must needs be subjected; for upon the presentation of the address itself, (which was also prepared by him at the request of his colleagues on the committee appointed for that purpose,) Mr. Nicholas objected to it, in committee, upon the grounds that it "pursued too closely the diction of the resolutions, and that their subjects were not sufficiently amplified." Mr. Nicholas's more matured judgment was therefore called into requisition to prepare the address. This afforded some salutary mortification to the embryo legislator. A further mortification also attended his early endeavors as a statesman, in the defeat of a bill introduced by him at this session of the house, empowering the owners of slaves to manumit them. His bill, however, afterwards became a law, in 1782. "Under this

act," says the historian, Bancroft, "more slaves received their freedom than were liberated in Pennsylvania or in Massachusetts."

Such checks as these to aspiring genius, are wholesome in the extreme; for their tendency is to mature the judgment, and give, what the French call *aplomb* to the ardor and enthusiasm of youthful character. The remarkable, undeviating poise of Mr. Jefferson's mind in maturer years, was but the glorious flower of this nascent bud.

It was about this period that Mr. Jefferson began the erection of his residence on the summit of the world-renowned "Monticello." Into this unfinished building he was compelled to move by a disastrous fire, which consumed the homestead, Shadwell, and also destroyed the books and papers collected by Mr. Jefferson in early life. He wrote to a friend, that he had lost "every paper he had in the world, and almost every book;" but from the joyous temper displayed in his letter, doubtless his philosophy enabled him to rejoice, with the great Fenelon in like circumstances, that *a poorer man had not suffered the calamity!* Mr. Jefferson, like Mr. Henry, was a fine performer on the violin, and used to tell (says Mr. Randall), with great glee, an anecdote connected with this fire. "He was absent from home when it occurred, and a slave arrived out of breath to inform him of the disaster. After learning the general destruction, he inquired:

‘But were none of my books saved?’ ‘No, master,’ was the reply, ‘but’ (with a look of truly African satisfaction), ‘*we saved the fiddle!*’”

Soon after his residence became fixed at Monticello, Mr. Jefferson was married to Mrs. Martha Skelton, the beautiful and accomplished young widow of Bathurst Skelton, and daughter of John Wayles, Esq., of Charles City county, Virginia. It would be a delightful task—did space allow—to follow the interesting details of Mr. Jefferson’s private life, as set forth in the numerous biographies of him. All these accounts exhibit a sweetness of private character, and a tenderness in all the relations of life, such as could scarcely have been looked for in one whose pathway lay, as his did, where the harsh and jarring forces work, which move the world. As husband, father, neighbor and friend, his excellence could not be overstated; and his consummate gentleness forms a charming contrast with the sterner qualities of his genius. Our study here, though, must chiefly concern his public labors and his legacies, in behalf of the millions who have peopled the continent over which he threw the shield of his mighty genius. These and their posterity, through countless ages (let us hope), will enjoy the results of his labors, and perpetuate his just renown.

In the spring of 1773, he took prominent part, in the house of burgesses, in devising and arranging the

first organized system of colonial resistance to Great Britain. The resolutions for the appointment of a committee of correspondence, to confer with the various colonies—moved in the house by Mr. Dabney Carr, but believed to have been prepared by Jefferson himself—caused Governor Dunmore, upon their adoption, to dissolve the assembly. Again, in the spring session of 1774, Governor Dunmore dissolved the assembly,—this time, in a curt and indignant manner. The house had just received intelligence of the celebrated Boston Port-Bill; its action thereupon is thus alluded to by Mr. Jefferson in his memoir:—

“The lead in the house, on these subjects, being no longer left to the old members, Mr. Henry, R. H. Lee, Fr. L. Lee, three or four other members, whom I do not recollect, and myself, agreeing that we must boldly take an unequivocal stand in the line with Massachusetts, determined to meet and consult on the proper measures, in the council chamber, for the benefit of the library in that room. We were under conviction of the necessity of arousing our people from the lethargy into which they had fallen, as to passing events; and thought that the appointment of a day of general fasting and prayer, would be most likely to call up and alarm their attention. No example of such a solemnity had existed since the days of our distress in the war of '55, since which a new

generation had grown up. With the help, therefore, of Rushworth,* whom we rummaged over for the revolutionary precedents and forms of the puritans of that day, preserved by him, we cooked up a resolution, somewhat modernizing their phrases, for appointing the first day of June, on which the Port-Bill was to commence, for a day of fasting, humiliation and prayer, to implore heaven to avert from us the evils of civil war, to inspire us with firmness in support of our rights, and to turn the hearts of the king and parliament to moderation and justice. To give greater emphasis to our proposition, we agreed to wait the next morning on Mr. Nicholas, whose grave and religious character was more in unison with the tone of our resolution, and to solicit him to move it. We accordingly went to him in the morning. He moved it the same day; the first of June was proposed, and it passed without opposition."

The dissolution of the assembly by Governor Dunmore, which followed the adoption of this resolution, led to the convention which met at Williamsburg in August 1774, and also to the meeting of the Continental Congress, in September of that year, in the city of Philadelphia. Mr. Jefferson was elected a member of the Virginia Convention of 1774, but his attendance was prevented by illness. He had already

* Rushworth's Collection of Documents, relative to the Civil War between Charles I. and his people.

prepared, however, and now sent by a messenger, to the convention, his famous "Summary View of the Rights of British America." This able paper was printed in pamphlet form both in England and America, and attracted sufficient notice in Virginia to excite a threat from Governor Dunmore to prosecute its author for treason. In England it "procured for him the *honor*" (as he expressed it) of having his name incorporated in a bill of attainder in parliament.

At our own safe distance from the scene of danger, it is easy to overlook the courage and genuine manhood which alone could nerve such utterances as the following, taken at random from Mr. Jefferson's "Summary View":

"Resolved, That it be an instruction to the said deputies, when assembled in general congress, with the deputies from the other states of British America, to propose to the said congress, that an humble and dutiful address be presented to his majesty, begging leave to lay before him, as chief magistrate of the British empire, the united complaints of his majesty's subjects in America ; complaints which are excited by many unwarrantable encroachments and usurpations, attempted to be made by the legislature of one part of the empire, upon the rights which God, and the laws, have given equally and independently to all. To represent to his majesty that these, his states, have

often individually made humble application to his imperial throne, to obtain, through its intervention, some redress of their injured rights; to none of which, was ever even an answer condescended. Humbly to hope that this, their joint address, penned in the language of truth, and divested of those expressions of servility, which would persuade his majesty that we are *asking favors*, and not *rights*, shall obtain from his majesty a more respectful acceptance; and this his majesty will think we have reason to expect, when he reflects that *he is no more than the chief officer of the people*, appointed by the laws, and circumscribed with definite powers, to assist in working the great machine of government, *erected for their use, and, consequently, subject to their superintendence.*"

"But, that we do not point out to his majesty the injustice of these acts, with intent to rest on that principle the cause of their nullity; but to show that experience confirms the propriety of those political principles, which exempt us from the jurisdiction of the British parliament. *The true ground on which we declare these acts void, is, that the British parliament has no right to exercise authority over us.*"

The act of parliament suspending the functions of the legislature of the colony of New York, is thus referred to:—

"One free and independent legislature hereby

takes upon itself to suspend the powers of another, *free and independent as itself*; thus exhibiting a phenomenon unknown in nature, the creator and creature of its own power. Not only the principles of common sense, but the common feelings of human nature must be surrendered up, before his majesty's subjects here can be persuaded to believe that they hold their political existence at the will of a British parliament." "But in what terms reconcilable to majesty, and at the same time to truth, shall we speak of a late instruction to his majesty's governor of the colony of Virginia, by which he is forbidden to assent to any law for the division of a county, unless the new county will consent to have no representative in the assembly? Does his majesty seriously wish, and publish it to the world, that his subjects should give up the glorious right of representation, with all the benefits derived from that, and submit themselves the absolute slaves of his sovereign will?" "But your majesty, or your governors, have carried this power beyond every limit known or provided for by the laws. After dissolving one house of representatives, they have refused to call another, so that, for a great length of time, the legislature provided by the laws, has been out of existence. *From the nature of things, every society must, at all times, possess within itself the sovereign powers of legislation.* The feelings of human na-

ture revolt against the supposition of a state so situated as that it may not, in any emergency, provide against dangers which, perhaps, threaten immediate ruin. While those bodies are in existence to whom *the people have delegated* the powers of legislation, they alone possess and may exercise those powers. But when they are dissolved, by lopping off one or more of their branches, the power *reverts to the people*, who may use it to unlimited extent, either assembling together in person, sending deputies, *or in any other way they may think proper.*" "Can his majesty thus put down all law under his feet? Can he erect a power superior to that which erected himself? He has done it indeed by force; *but let him remember that force cannot give right.*" "The God who gave us life, gave us liberty, at the same time: the hand of force may destroy, but cannot disjoin them." . . . "These are our grievances, which we have thus laid before his majesty, with that freedom of language and sentiment which becomes a free people, claiming their rights as derived from the laws of nature, and not as the gift of their chief magistrate. Let those flatter, who fear: it is not an American art. To give praise where it is not due might be well from the venal, but would ill-beseem those who are asserting the rights of human nature. They know, and will therefore say, that *kings are the servants, not the proprietors of the people.*"

"This document," says Mr. Randall, "is a most remarkable one—more remarkable, considering the period when it was written, for its boldness of tone, than the Declaration of Independence—and though less carefully and ornately written than the latter paper, quite its equal, in our judgment, in the ability it displays. . . . Except in the particular of a well-limited and well-hedged about executive, the "Summary View" was a declaration of independence nearly two years in advance of the adopted one! and we are not at all prepared to wonder, either from its import or the ability it exhibited, that it procured the certainly unusual "honor" of a bill of attainder for a man thirty-one years old—who had held no office more conspicuous than that of a burgess—who had hitherto made no dangerous speech, or been concerned in any separate or known act of hostility (more than all his colleagues in the house of burgesses) to government."

Mr. Jefferson was a member of the Virginia convention which met in Richmond in March, 1775. That convention selected him to act as the alternate in Congress, of Peyton Randolph, (who was chosen to preside over that body), in the event that Mr. Randolph's duties as president of the house of burgesses, should at any time conflict with his position as a delegate. Accordingly, when the Virginia assembly was

convened by the governor in June, 1775, to take into consideration Lord North's conciliatory proposition to the colonies, Mr. Jefferson proceeded to Philadelphia to take Mr. Randolph's place in Congress;—not, however, until he had prepared, at Mr. Randolph's request, Virginia's ringing "Answer" to Lord North's proposition. The tone of this remarkable paper,—which has been well termed "a noble lead-off for the assemblies of the other colonies,"—can be readily gathered from its concluding sentences :

"These, my Lord, are our sentiments, on this important subject, which we offer only as an individual part of the whole empire. Final determination we leave to the general Congress, now sitting, before whom we shall lay the papers your lordship has communicated to us. For ourselves, we have exhausted every mode of application, which our invention could suggest as proper and promising. We have decently remonstrated with parliament—they have added new injuries to the old; we have wearied our king with supplications—he has not deigned to answer us; we have appealed to the native honor and justice of the British nation—their efforts in our favor have hitherto been ineffectual.* What then remains to be done?

* Mr. Wirt must have had this paper before him, or in his mind, when in his handsome version of Mr. Henry's great speech before the convention, he says : "We have petitioned—we have remonstrated—we have supplicated—we have prostrated ourselves at the foot of the throne," &c.

That we commit our injuries to the evenhanded justice of that Being, who doeth no wrong, earnestly beseeching him to illuminate the councils, and prosper the endeavors of those to whom America hath confided her hopes; that through their wise directions we may again see reunited the blessings of liberty, prosperity and harmony with Great Britain."

This "Answer" of Virginia, which opened the temple of Janus for a decisive war in America, was Mr. Jefferson's letter of introduction to the general Congress of the colonies. With this paper in his hand, and, preceded by his fame already won as the author of the "Summary View," he entered, on the 21st of June, 1775, upon that broader field of public service, in which he at once became the leading statesman. Not only did his great talents speedily place him among the most distinguished members of the house, but his gentle disposition, his modesty, and his winning manners, gave him an ever-increasing personal popularity among his associates, and all others with whom he came in contact. Mr. John Adams—who was himself somewhat testy—wrote of him, in a letter to Timothy Pickering: "Though a silent member of Congress, he was so prompt, frank, explicit, and decisive upon committees and in conversation, that he soon seized upon my heart." Mr. Randall says: "We have strong reasons to think that he never had an enemy in Congress."

At the time Mr. Jefferson entered Congress, a committee had been appointed to draw up a declaration of the causes of taking up arms. This committee had made a report which was unsatisfactory to the house; and, upon its recommitment, Mr. Jefferson and Mr. Dickinson, of Pennsylvania, were added to the committee. The declaration which the house finally adopted, was the joint production of the two last named gentlemen. In connection with that paper, Mr. Randall, in his charming biography, throws a strong light upon a prominent and beautiful trait of Mr. Jefferson's character. He first quotes from Mr. Jefferson's Memoir, his own modest statement of the part he took in the preparation of it, as follows:—"I prepared a draught of the declaration committed to us. It was too strong for Mr. Dickinson. He still retained the hope of reconciliation with the mother country, and was unwilling it should be lessened by offensive statements. He was so honest a man, and so able a one, that he was greatly indulged even by those who could not feel his scruples. We, therefore, requested him to take the paper, and put it into a form he could approve. He did so, preparing an entire new statement, and preserving of the former only the last four paragraphs and half of the preceding one. We approved and reported it to Congress, who accepted it." Mr. Randall then says: "That production was one of the most popular ones ever issued by

Congress. It was read amid thundering huzzas in every market place, and amid fervent prayers in nearly every pulpit in the colonies. The commanders read it at the head of our armies amid booming cannon; Putnam proclaimed it to the applauding yeomanry of New England, under his command. It was quoted again and again admiringly in history. It will not probably be denied that this celebrated production owed most of its popularity to the "last four paragraphs and half of the preceding one." It would have been a very ordinary affair without these. This was the only part the admiring historians quoted.*

Yet the "youngest member but one in congress" never gave even a hint (we believe) of its authorship, suffering all the reputation of it to rest with Mr. Dickinson, until he mentioned it in a paper (the memoir), destined never to see the light until Mr. Dickinson and himself had gone down to the grave. Of this, as of various other reclamations which he really owed to himself, he made no memoranda until he was seventy-seven years old—showing how little precaution he took, or anxiety he felt on the subject. And many of them, like this, seem rather accidentally or incidentally made in his simple narration of facts, than set down for any special purpose. It may be truly said, and the remark is thrown out here some-

* See the entire paper as an appendix to this volume. It is really curious to observe the difference between the two portions of it.

what in advance—that the reader may make it a standard to try Mr. Jefferson by on all occasions—that a conspicuous public man, more utterly destitute of vanity than he was, never existed.”

A committee, consisting of Benjamin Franklin, Thomas Jefferson, John Adams, and Richard H. Lee, was appointed on the 22d of July, 1775, to draw up the answer of Congress to Lord North's "Conciliatory Proposition." Mr Jefferson was selected by the other members of the committee to draft the paper, which he did, in the shape of a substantial reproduction of the one he had previously prepared, on the same subject, for the house of burgesses of Virginia. Thus, the emphatic and resolute voice of Virginia, in this momentous crisis, became, in effect, (though, at the time, it was not so intended), the joint ultimatum and gage of war of the united colonies; and thus it fell to Jefferson's pen to indite the challenge, which Washington's sword was to vindicate.

Upon the adjournment of Congress on the 1st day of August, 1775, Mr. Jefferson returned to his home; and on the 11th day of the same month was re-elected one of the delegates from Virginia to the next Congress—that convention of immortal mortals, whose wisdom and patriotism, on the 4th day of July, 1776, inaugurated our great "indissoluble Union of indestructible States." The facts—indeed, the minutest

details—of that momentous transaction, are too familiar even to the “wayfaring man,” of our own country, to make anything beyond mere mention necessary here. Notwithstanding the many crises—some of them most serious and alarming—through which our country has passed, during the century it has drawn its inspiration from that renowned “Declaration ;” yet, at the very hour, these present lines are being penned,* the political outlook gives auspicious forecast of a genuine solidarity between those sections of the Union, which God seems to have joined together, but which the selfish politicians and placemen have, these scores of years, been trying to put asunder.

The important part which Mr. Jefferson took in the business of that Congress, is thus tersely referred to by Mr. Randall. “We had,” says he, “with no little care, prepared a list of Mr. Jefferson’s appointments on committees during that portion of the Congress of 1776 when he was present. It extended over several manuscript pages, and he was chairman of a good many of the committees. As it must always happen in war, many of the topics of the greatest contemporaneous legislative interest and importance were purely temporary or incidental in their importance. The long list would, therefore, now be a dry one, and it may be doubted whether, even in cases where the

* July 3d, 1880.

subject retains its interest, it is of any real use to specify Mr. Jefferson's connection with a committee, unless we are prepared (which, when we have the means, we have not the space for), to state his performances in it. It neither illustrates his character (further than to show what was never denied to him, indefatigable industry), nor does it add much to *his* fame, at this day, to tenaciously lay claim to all these minor honors of his earlier career!"

It would not be proper to pass over, in silence, the fact that Mr. Jefferson has been severely criticised (as perhaps all meritorious men have ever been, and will ever be), in respect to alleged plagiarism and want of originality, both in the mind and the matter of the famous Declaration of Independence. It was charged by Mr. Pickering, that "there is not an idea in it but what had been hackneyed in Congress for two years before"; and Mr. John Adams said: "the substance of it is contained in the declaration of rights, and the violation of those rights, in the Journals of Congress, in 1774. Indeed, the essence of it is contained in a pamphlet, voted and printed by the town of Boston, before the first Congress met, composed by James Otis, as I suppose, in one of his lucid intervals, and pruned and polished by Samuel Adams." It was alleged, also, by Mr. Richard Henry Lee, that "it was copied from Locke's Treatise on Government."

It will be sufficient for the purposes of a brief

sketch like this, to rest this question upon Mr. Jefferson's own genteel but incisive retort, in vindication of himself; though his able biographer, Mr. Randall, not satisfied with this, proceeds to demolish, effectually, both the critics and their criticisms.*

Mr. Jefferson, referring to the subject in a letter to Mr. Madison, says:

"Pickering's observation, and Mr. Adams's in addition, 'that it contained no new ideas, that it is a common-place compilation, its sentiments hackneyed in Congress for two years before, and its essence contained in Otis's pamphlet,' may all be true. Of that I am not to be the judge. Richard Henry Lee charged it as copied from Locke's *Treatise on Government*. Otis's pamphlet I never saw, and whether I had gathered my ideas from reading or reflection, I do not know. I know only that I turned to neither book nor pamphlet while writing it. I did not consider it as any part of my charge to invent new ideas altogether, and to offer no sentiment which had ever been expressed before. Had Mr. Adams been so restrained, Congress would have lost the benefit of his bold and impressive advocations of the rights of Revolution. For no man's confident and fervid addresses, more than Mr. Adams's, encouraged and supported us through the difficulties surrounding us,

* Randall's *Life of Thomas Jefferson*, Vol. I., p. 187, *et. seq.*

which, like the ceaseless action of gravity, weighed on us by night and by day. Yet, on the same ground we may ask, what of these elevated thoughts was new, or can be affirmed never before to have entered the conceptions of man?

“Whether, also, the sentiments of independence, and the reasons for declaring it, which make so great a portion of the instrument, had been hackneyed in Congress for two years before the 4th of July '76, or this dictum also of Mr. Adams be another slip of memory, let history say. This, however, I will say for Mr. Adams, that he supported the Declaration with zeal and ability, fighting fearlessly for every word of it.”

It was further charged, in 1819, when the Mecklenburg Declaration of Independence of North Carolina (said to have been written May 20th, 1775), first appeared in print, that there were in it “peculiar collocations of words to be found in the National Declaration.” Mr. Jefferson positively denied that he had ever seen or heard of this Mecklenburg Declaration; and repelled the charge in a somewhat indiscreet, but exceedingly able letter to Mr. John Adams of Massachusetts. His letter led to a long and acrimonious controversy, in which even the legislature of North Carolina took part. The searching and tedious investigation which followed, appears to warrant the conclusion, that the paper published in the Raleigh

(N. C.) *Register* in April, 1819, purporting to be the Mecklenburg Declaration of May 20th, 1775, and in which the "peculiar collocations of words" appeared, was a *spurious publication*; and that the genuine Mecklenburg Declaration was a paper of very different tenor, and bore date May 31st, 1775, instead of May 20th. It would seem that a full refutation of all such charges as these, should be found in the undoubted fact that the "Summary View," which Mr. Jefferson wrote in 1774, contains the complete germ of the Declaration of Independence. And, in regard to charges like those of Mr. Pickering, Mr. Adams, and Mr. Lee, it has been well said that "it should rather be regarded as the peculiar merit of the writer, that he thus collected and embodied the conclusions upon government of the leading thinkers of the age in Europe and America, rejecting what was false, and combining his material into a production of so much eloquence and dignity."*

In his *History of Civilization in England*, Mr. Buckle says, the Declaration of Independence "ought to be hung up in the nursery of every king, and blazoned on the porch of every royal palace."

"This immortal state paper," says Bancroft, "which

* It has recently been shown conclusively by an English writer, that many of the ideas, and even the translated *words* of both Ovid and Virgil, were incorporated by Shakespeare into his "Lucrece" and "Venus and Adonis"; and yet that fact, says that writer, "does not in the least detract from the perfect originality, to say nothing of the beauty and power, of Shakespeare's work."

for its composer was the aurora of enduring fame, was 'the genuine effusion of the soul of the country at that time,' the revelation of its mind, when in its youth, its enthusiasm, its sublime confronting of danger, it rose to the highest creative powers of which man is capable. . . . The heart of Jefferson in writing the declaration, and of Congress in adopting it, beat for all humanity; the assertion of right was made for the entire world of mankind and all coming generations, without any exception whatever; for the proposition which admits of exceptions can never be self-evident. As it was put forth in the name of the ascendant people of that time, it was sure to make the circuit of the world, passing everywhere through the despotic countries of Europe; and the astonished nations as they read that all men are created equal, started out of their lethargy, like those who have been exiles from childhood, when they suddenly hear the dimly remembered accents of their mother tongue."

Mr. Jefferson resigned his seat in Congress in September, 1776, partly for private reasons, but more especially to take the "laboring oar" in adapting the laws of Virginia to the new order of things. In the same month he was appointed by Congress a commissioner to negotiate treaties of alliance and commerce with France. This appointment he declined. He took his seat as a member of the Virginia house

of delegates the following October, and at once set about the task of reforming the laws. He had previously drafted a preamble and constitution for Virginia. These were never offered in the house, because the admirable instrument which Mr. George Mason had prepared, was already under consideration in that body. Upon the adoption of Mr. Mason's paper, however, Mr. Jefferson's preamble was prefixed to it.

The opposition met by Mr. Jefferson, in some of the "reforms" he now undertook, may readily be conjectured, when it is remembered that the colony of Virginia, and especially the more populous portion on tidewater, was virtually but a reproduction, in miniature, of aristocratic England. It is questionable, indeed, whether even *more* of the germs of feudalism did not linger in "the Old Dominion," than in England itself, after the Revolution of 1688. The sweeping changes necessarily incident to the conversion of the royal colony into a republican state, gave rise to a *class-hatred* against Mr. Jefferson, which not only lasted throughout his own generation, but which was transmitted as a heritage from father to son, and even to this day, perhaps, survives in some quarters. And yet, whatever regrets may linger around the memories of the ancient order of things, which so highly exalted a privileged few, at the expense of the many; it is difficult to see how any of those changes could have been avoided without a virtual abandon-

ment of the contest in which the colonies were then engaged with the mother country. That the great leader and champion of those "reforms" was honest and sincere in his purposes and efforts, no one can justly question; for he was seeking the overthrow of a class to which he himself belonged: and many of the individuals of that class, whose wrath and bitterness his action aroused, were his own kinsmen and intimate friends.

The most important features of the revolution in Virginia, which, in spite of all opposition, he virtually effected in the short period of about two years, were the repeal of the laws of entail—the abolition of the rights of primogeniture, and the overthrow of the established church. The last of these—the bill for religious freedom—was regarded by him as of such importance, that it constituted one of the three acts of his life, which he requested to be inscribed upon his tomb. The law prohibiting the importation of slaves was also his work; and the organization of the judicial system of Virginia took its origin from bills introduced by him.

But the most extensive labor of his life, perhaps, was the prominent part he took in the general revision of the laws of Virginia. Upon the passage of this bill,—also introduced by him,—he was elected by the senate and house of delegates, chairman of the committee of revisers—the other members being

Edmund Pendleton, George Wythe, George Mason, and Thomas Ludwell Lee. The revision was a work of more than two years, and was executed by the first three members of the committee, by reason of the resignation of Mr. Mason and the death of Mr. Lee. In the distribution of the labor among the three, it was assigned to Mr. Jefferson to revise the common law and the statutes of England to the 4th of James I. The magnitude and difficulty of such a work can be best appreciated by lawyers, though even the most obtuse layman can to some extent understand it.

The report of the revisers, when completed, consisted of but one hundred and twenty-six bills; its very brevity being the strongest conceivable argument to show how great were the labors of those engaged in it, and especially of him whose part it had been to codify the written and unwritten laws of England running through many obscure centuries. The unrivalled "Commentaries" of Sir William Blackstone had, it is true, been published in England several years before, and doubtless this choice and classic work, in the main, made Mr. Jefferson's portion of the revision possible, in the comparatively brief time devoted to it.* Although many of the laws em-

* Edmund Burke calls attention, in 1775, to the partiality of the Americans for the study of law, and the ability of American lawyers. "In no country, perhaps, in the world," says Mr. Burke, "is the law so general a study. The profession itself is numerous and powerful, and in most provinces it takes the

bodied in this report of the revisers, were, from time to time, passed by the legislature, as the public need required; yet the main body of it was not utilized until the conclusion of the war. Mr. Jefferson thus refers to it in his memoir. "The main body of the work was not entered on by the legislature until after the general peace in 1785, when, by the unwearied exertions of Mr. Madison, in opposition to the endless quibbles, chicaneries, perversions, vexations, and delays of lawyers and demi-lawyers, most of the bills were passed by the legislature with little alteration." He also gives his opinion of some of the principal features of his great legal scheme, when he took the "laboring oar" in Virginia, as follows:—"I considered four of these bills, passed or reported, as forming a system by which every fibre would be eradicated of ancient or future aristocracy, and a foundation laid for a government truly republican. The repeal of the laws of entail would prevent the accumulation and perpetuation of wealth, in select families, and preserve the soil of the country from being daily more and more absorbed in mortmain. The aboli-

lead. The greater number of the deputies sent to Congress were lawyers. But all who read,—and most do read,—endeavor to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books, as those on law, exported to the plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's Commentaries in America as in England."

tion of primogeniture, and equal partition of inheritances, removed the feudal and unnatural distinctions which made one member of every family rich, and all the rest poor, substituting equal partition, the best of all agrarian laws. The restoration of the rights of conscience relieved the people from taxation for the support of a religion not theirs; for the establishment was truly of the religion of the rich, the dissenting sects being entirely composed of the less wealthy people; and these, by the bill for a general education, would be qualified to understand their rights, to maintain them, and to exercise with intelligence their parts in self-government; and all this would be effected, without the violation of a single natural right of any one individual citizen. To these, too, might be added, as a further security, the introduction of the trial by jury, into the chancery courts, which have already engulfed, and continue to engulf, so great a proportion of the jurisdiction over our property."

In 1779, at the age of thirty-six, Mr. Jefferson was elected governor of Virginia. He succeeded Patrick Henry, whose term of three years had expired, and who was ineligible, under the Constitution, for re-election at that time. The year Mr. Jefferson entered upon the duties of his office was pronounced by General Washington the gloomiest period of the Revolution. Especially was Virginia about to be subjected

to a crucial test. It was just at this time that the British Government, despairing of an easy conquest, and subjugation of the entire territory in revolt, had determined to transfer the main contest from the more populous northern colonies to the less populous but more productive regions of the South, thus hoping to gain a foothold which would enable them the more easily to conquer the other colonies in detail. A systematic plan had therefore been formed, of crushing at a blow, as it were, and forcing back to their allegiance, Georgia and the two Carolinas. Accordingly, by land and sea, the invaders had swarmed toward these devoted colonies; and, at the time Mr. Jefferson became governor, had subdued Georgia, and, partially, South Carolina.

The control of the Chesapeake, however, was deemed an indispensable factor in the problem, and this fact, together with the territorial position of Virginia, made her soil a prominent battle-ground in this great struggle. Concurrently with the formation of this plan, too, the *role* of conciliation and moderation, which had characterized the war in the North, was changed into a relentless persecution; and a determination to *destroy* superseded the efforts hitherto made to restore the colonies to their allegiance by persuasives as well as by arms. The alliance and active co-operation of France in the colonial efforts for independence, had so incensed Great Britain, that her

accredited agents in America actually issued, about this time, and scattered broad-cast throughout the country, a manifesto to the effect that if the colonies were to become an accession to France, the law of self-preservation would prompt the British Government "to render that accession of as little avail to her as possible." This was the almost fiendish purpose with which the invasion of the South began; and the exhausted, and comparatively defenceless condition of the colonies directly involved in the murderous designs of the invader, rendered his success scarcely problematical. It is a marvellous illustration of the mysterious ways of Providence, however, that this very plan—so promising to the strong, and so portentous of ill to the weak—was the beginning of that series of operations which culminated in the final overthrow of the British at Yorktown.

The condition of Virginia at the time the invasion commenced, was critical in the extreme. Her great extent of coast, both on the Atlantic ocean and Chesapeake bay, and her numerous navigable rivers penetrating every part of her interior, made her an easy prey to the naval operations of the enemy—to which branch of the service she had no means of opposition. Her able-bodied militia did not furnish as much as *one man to the square mile of her inhabited territory*, and her arms (consisting mainly of fowling-pieces which were totally unfit for military service) were

sufficient in number to supply *only one such gun to four or five men!* Her disciplined soldiers were already fighting, and for years had been fighting, in other colonies, for the general defence; and her raw militia, now, were the planters, widely scattered over her soil, whose presence at home was necessary for the raising and securing of crops to furnish food for the soldiers and non-combatants. Moreover, the protection of her slave property from the raiding parties of the enemy, constituted no small addition to the burden now laid upon her. In such a condition of things, how natural was the gloom and despondency which Washington felt, as he beheld the unlimited resources of Great Britain concentrated upon the colonies of the South! What a responsibility, too, was the youthful Governor Jefferson now confronted with! "The defensive strength of Virginia, then, within her own borders," says Mr. Randall, "was but a shadow—a name. It was wonderful that this fact was so little understood—so slowly seized upon by the enemy. But the fatal want of arms in Virginia was probably unknown to the enemy. From the men and supplies she sent out, she wore the appearance of being a great magazine of both. The State which could spare so much to the others, must needs be, it would seem, abundantly supplied at home. They did not understand that the lioness was meeting the hunter on the skirts of the wood—making battle for

her young as far as possible from her lair, instead of *in* that lair!"

But, as if these difficulties were not sufficient—as if her threatened sea-coast and invaded interior were not a full-enough cup for her to drink; her remorseless foe, in fiendish malice, now stirred up and armed the Indian tribes on her western frontier, and inaugurated those inconceivable horrors which made a "dark and bloody ground" of that portion of her western territory which now comprises the great State of Kentucky. In the annals of the world—certainly in the history of warfare among Christian nations—there is presented no bloodier or more devilish instance than this, of "man's inhumanity to man;" and to this day, even the imperfect record of its horrors which historians can give, causes a blush of shame upon the cheek of the descendants of those who instigated them.

Benedict Arnold's invasion of Virginia "with fire and sword," occurred during Mr. Jefferson's administration. The capture of Richmond, the capital of the State, by this traitor, in January, 1781, caused the seat of government to be removed temporarily to Charlottesville. In June of that year, and just after the expiration of Jefferson's term as governor, Colonel Tarleton made a sudden movement against Charlottesville, and nearly succeeded in capturing the legislature there assembled. A detachment from

Tarleton's force was sent to Monticello to surprise and capture Mr. Jefferson. While Arnold was burning and pillaging in Richmond, the January before, the governor had remained near enough to the scene of danger to witness the operations of the enemy. Now, when threatened by a more active and daring foe, his rash exposure of his person came very near making him a prisoner. Having hastily sent off his family, and secured his most valuable papers, upon Tarleton's approach; he walked to a prominent point near his house, with spy-glass in hand, to reconnoitre the plain below. It is said that the house was filled with British soldiers within five minutes after he left it, and he only succeeded in making his escape through unfrequented by-paths which were familiar to him. It was doubtless owing to the moderation of Captain McLeod, the officer who commanded the detachment, that Mr. Jefferson's property at Monticello was not molested, though Mr. Jefferson himself states, in a letter dated July 16th, 1788, that Tarleton had himself given "strict orders to suffer nothing to be injured." The conduct thus shown, of both Colonel Tarleton and Captain McLeod, in respect to private property at Monticello, stands in strong contrast with that of Lieutenant-General Cornwallis, about the same time, whose conduct at Elk Hill, another of Mr. Jefferson's plantations, on James river, is thus described by Mr. Jefferson himself: "He remained in

this position ten days, his own headquarters being in my house at that place. I had time to remove most of the effects out of the house. He destroyed all my growing crops of corn and tobacco; he burned all my barns, containing the same articles of the last year, having first taken what corn he wanted; he used, as was to be expected, all my stock of cattle, sheep and hogs, for the sustenance of his army, and carried off all the horses capable of service; of those too young for service he cut the throats; and he burned all the fences on the plantation, so as to leave it an absolute waste. He carried off also about thirty slaves. Had this been to give them freedom, he would have done right, but it was to consign them to inevitable death from the small-pox and putrid fever, then raging in his camp. This I knew afterwards to be the fate of twenty-seven of them. I never had news of the remaining three, but presume they shared the same fate. When I say that Lord Cornwallis did all this, I do not mean that he carried about the torch in his own hands, but that it was all done under his eye: the situation of the house in which he was, commanding a view of every part of the plantation, so that he must have seen every fire. I relate these things on my own knowledge, in a great degree, as I was on the ground soon after he left it. He treated the rest of the neighborhood somewhat in the same style, but not with that spirit of

total extermination with which he seemed to rage over my possessions. . . . Wherever he went, the dwelling-houses were plundered of everything which could be carried off. Lord Cornwallis's character in England would forbid the belief that he shared in the plunder; but that his table was served with the plate thus pillaged from private houses, can be proved by many hundred eye-witnesses.* From an estimate I made at that time, on the best information I could collect, I suppose the state of Virginia lost under Lord Cornwallis's hands, that year, about thirty thousand slaves. . . . History will never relate the horrors committed by the British army in the *Southern* states of America. They raged in Virginia six months only. . . . I suppose their whole devastations during those six months amounted to about three millions sterling."

When it is remembered that even General Washington's great character and services did not exempt him from slander and abuse, it will not be accounted strange that the "gloomy period," embracing Mr. Jefferson's two years' service as chief magistrate of

* Girardin says: "Lord Cornwallis slept one night at the house of a Mr. Bates, some distance from the South Anna. In the morning, when his lordship sat down to a rural, yet neat and comfortable breakfast, he observed an elegant piece of plate, not, indeed, heavy, but of exquisite workmanship and great value. He took it in his hands, looked again and again at every part of it, expressed his admiration of its beauty, and *unceremoniously consigned it to one of his pockets.*"

Virginia, excited more or less popular clamor against him. When a population is suffering, (as we have seen above the Virginians did), *somebody* must bear the blame, and, generally speaking, the most conspicuous public servant is the principal scape-goat. At the "bar of public opinion" it was charged against him, in a vague and general way, *that he had not done all that should have been done when Virginia was invaded!* As an offset to such charges, we have only space here to notice, on the testimony of the most eminent historians, that Washington's approbation of Governor Jefferson's administration in those trying years was *unqualified*; and the legislature, upon his retiring from office, unanimously adopted the following resolution:—

"*Resolved*, That the sincere thanks of the general assembly be given to our former governor, Thomas Jefferson, Esquire, for his impartial, upright, and attentive administration whilst in office. The assembly wish, in the strongest manner, to declare the high opinion which they entertain of Mr. Jefferson's ability, rectitude and integrity, as chief magistrate of the commonwealth; and mean, by thus publicly avowing their opinion, to obviate and to remove all unmerited censure."

These censures and criticisms were, however, sufficient to deeply wound Mr. Jefferson's sensibilities.

They gave him great pain at a period of his life when he was suffering under the deepest domestic afflictions.

Within a fortnight after he ceased to be governor of Virginia, Congress appointed him a plenipotentiary in Europe "to appear and treat for peace on behalf of the United States, at the proposed Congress of Vienna." This appointment he declined on account of his wife's delicate health, which resulted in her untimely death, in September, 1782.

It was during this period of comparative retirement that Mr. Jefferson wrote his "Notes on Virginia." The origin of this work was as follows:—The Marquis of Barbé-Marbois, Secretary of the French Legation in Philadelphia, in consequence of orders to collect the important statistics of the American States, had propounded to Mr. Jefferson a set of inquiries in that behalf. The replies of Mr. Jefferson to these inquiries, with some additions and corrections afterwards made by him, constitute his "Notes on Virginia,"—a work famous no less for its vigorous style than its great fund of valuable information. Few books in this country, probably, have been as often and as largely quoted from.

A cotemporary description of Mr. Jefferson, at this stage of his life, is interesting, and is thus given by the Marquis de Chastellux, who visited him at Monticello, in the spring of 1782.

“Let me describe to you a man, not yet forty, tall, and with a mild and pleasing countenance, but whose mind and understanding are ample substitutes for every exterior grace. An American, who without ever having quitted his own country, is at once a musician, skilled in drawing, a geometrician, an astronomer, a natural philosopher, legislator and statesman. A senator of America, who sat for two years in that famous Congress which brought about the Revolution; a governor of Virginia, who filled this difficult station during the invasions of Arnold, of Phillips, and of Cornwallis; a philosopher, in voluntary retirement from the world and public business, because he loves the world inasmuch only as he can flatter himself with being useful to mankind.”

After the death of his wife, Mr. Jefferson was again appointed by Congress, Minister Plenipotentiary, to negotiate peace; but owing to detentions, partly arising from the rigors of winter, but more especially from the vigilance of British cruisers, which hovered about the coast and effected an impassable blockade, he did not at this time sail for Europe. In November 1783, he again entered Congress, where he took prominent part in the plan for the temporary government of the great and then unsettled western territory. In the following December, as chairman of the committee appointed for the purpose, he “drew up that simple

but dignified and impressive order of proceedings" in connection with General Washington's resignation of his commission as commander-in-chief. He was also the author of the answer of the President of Congress to General Washington's address, on that interesting occasion. He was chairman of the committee to consider the treaty of peace with Great Britain; and "thus," says Mr. Randall, "it was Mr. Jefferson's fortune, seven years after reporting to Congress the memorable instrument by which the British American Colonies declared themselves free and independent states, to report to the same body, and officially assist in ratifying another instrument, by which that independence was formally admitted by the unnatural parent who first forced on the struggle, and then made it one of such deep and long protracted inflictions on one side, and sufferings on the other."

Mr. Jefferson and Mr. Gouverneur Morris, were the joint originators of our simple and excellent system of coinage. The credit of proposing the decimal system of computation in our coinage, has been generally ascribed to Mr. Jefferson. This is an error, since Mr. Morris certainly made that suggestion. To Mr. Jefferson, however, the country is indebted for suggesting the dollar unit; and, also, for our present coinage, except the subdivision of the gold eagle, and

some other more modern coins. Mr. Jefferson's proposition in this behalf, called for but four coins—a gold piece of ten dollars—a silver dollar—a silver tenth of a dollar—and a copper hundredth of a dollar.

In all the business of Congress, Mr. Jefferson took his usual prominent part, until his appointment, in May 1784, to co-operate with Mr. Adams and Dr. Franklin in negotiating treaties of commerce with foreign nations. He remained in Europe about five years, where he acquired a great reputation as a diplomatist, and man of letters. He was there brought in contact, both socially and in affairs of state, with the greatest intellects and most cultivated scholars of the world; among whom he moved always as a peer—generally, as a superior. Many instances are given where he “confounded the doctors” in branches which were specialties to them, but only appendages to his vast stores of learning. In his memoir he thus expresses his partiality for France, and his regrets at leaving that country.

“I cannot leave this great and good country, without expressing my sense of its pre-eminence of character among the nations of the earth. A more benevolent people I have never known, nor greater warmth and devotedness in their select friendships. Their kindness and accommodation to strangers is unparalleled, and the hospitality of Paris is beyond anything I had conceived to be practicable in a large city.

Their eminence, too, in science, the communicative disposition of their scientific men, the politeness of the general manners, the ease and vivacity of their conversation, gave a charm to their society, to be found nowhere else. In a comparison of this, with other countries, we have the proof of primacy, which was given to Themistocles, after the battle of Salamis. Every general voted to himself the first reward of valor, and the second to Themistocles. So, ask the travelled inhabitant of any nation, in what country on earth you would rather live? Certainly, in my own, where are all my friends, my relations, and the earliest and sweetest affections and recollections of my life. Which would be your second choice? France."

An account of Mr. Jefferson's brilliant career abroad would scarcely interest the general reader of our own day; and, moreover, would occupy more space than can here be given to it. Of his diplomatic conduct there, Chief Justice Marshall said, in his moderate style, "in that station he acquitted himself much to the public satisfaction." Daniel Webster thus referred to the same subject:

"Mr. Jefferson's discharge of his diplomatic duties was marked by great ability, diligence and patriotism; and while he resided at Paris, in one of the most interesting periods, his character for intelligence, his love of knowledge and of the society of learned men,

distinguished him in the highest circles of the French capital. No court in Europe had at that time in Paris a representative commanding or enjoying higher regard, for political knowledge or for general attainments, than the minister of this then infant republic."

The *Edinburgh Review*, which was intensely hostile to Mr. Jefferson in politics, thus spoke of his diplomatic career in France:

"His watchfulness on every subject which might bear on the most favorable arrangement of their new commercial treaties, his perseverance in seeking to negotiate a general alliance against Algiers, the skill and knowledge with which he argued the different questions of national interest that arose during his residence, will not suffer even in comparison with Franklin's diplomatic talents. Everything he sees seems to suggest to him the question, whether it can be made useful in America. Could we compare a twelve month's letters from our ambassador's bags at Paris, Florence, or elsewhere, we should see whether our enormous diplomatic salaries are anything else than very successful measures for securing our business being ill and idly done."

Mr. Jefferson had returned to America in 1789, on leave of absence, and with the expectation of returning to France. Upon arriving, however, and before he could reach his home, he was intercepted by a let-

ter from President Washington, notifying him of his appointment as Secretary of State. He entered upon the duties of this important position the following spring. At the same council-board, as Secretary of the Treasury, in Washington's Cabinet, sat Alexander Hamilton;—that man of prodigious mind, who, alone of all cotemporaries, and to the exclusion of all native Americans, was indeed Mr. Jefferson's rival in statesmanship. A native West Indian, his extraction, on his father's side, was Scotch, on his mother's, French:—a commingling of blood which could scarcely fail to bestow a rich heritage of genius through even an indefinite number of generations.

A strong temptation is presented just here, to digress from the thread of Mr. Jefferson's personal history (which, alone, is the subject of this sketch), and review, at some length, the conflict between the two genii who led the opposing forces in the Titanic struggle which attended the political birth of the American nation. But want of space would preclude it, and the fear of *partiality* should preclude such a discussion even from an extended biography of either of the men concerned. The subject is an articulate one, and should be handled by an impartial pen, and in a separate and independent volume.*

* Even Mr. Randall, in undertaking a discussion of this subject, in his *Life of Jefferson*, has somewhat marred the excellence of his truly excellent work.

The mutations and fluctuations of political parties—as of all things human—render it difficult, if not impossible, for exact justice to be done to any political leader by any human pen; and no better illustration of the fact could be adduced than the very men in question. Both, it is believed, were great men; both were honest and patriotic men; and both, no doubt, have been often misunderstood and cruelly misrepresented. Theories and ideas which both, or either, would have scornfully repudiated, have, in after days, been caught up by ranting orators and supposititious statesmen, and, under the alleged sanction of one or the other, have been erected into engines of wrong to the people whom both Jefferson and Hamilton sought to befriend. That neither was immaculate, none will question; that both were patriots, none should deny; and the American people who have enjoyed the “good that was in them,” or have suffered the penalty of their mistakes, should revere the memory of both,—remembering that they were but men, though great men.

Colonel Hamilton desired and urged, that the federal feature of the Republic should be strengthened, and made, in all respects, paramount to the States. This was his proposition upon the theory of a republican government, at all, for the American people; but he frankly avowed his preference for a monarchy; and, with a display of powers truly gigantic, he argued its

superiority over any republican system that could be devised. Some things that have occurred in the more recent history of our country, have set many honest and patriotic people upon the inquiry, whether Hamilton was not right!

Mr. Jefferson, on the other hand, preferred that the States should reserve their sovereignty intact, except so far as expressly limited by the written compact they had voluntarily made for the general weal. He argued that the creature could not, without a conflict—and could not, in the nature of things, become greater than the creator; that the Declaration of 1776, and the results of the war, had made the *States* sovereign and independent; and that the compact which, in the confederation, held them together in aim and effort during the struggle for liberty, and which bound them in a “more perfect union” after the war, should be construed as delegating to the federal department only the powers expressly granted by the co-equal sovereignties who were parties to it.

Thus, in 1790, in the very earliest movements of the machinery of government, the country was divided into two great political parties—the Republican and Federalist; Jefferson being the recognized leader of the one,—Hamilton, of the other. These two great leading ideas still constitute the principal point of departure in politics, though it is curious to observe, that, in our own day, the *name* of Jefferson’s party and

the *centralization principles* of Hamilton's have been united. This paradox, (remembering Washington's partiality for Hamilton's school—so far as Washington was a party man, at all,) gives a singular turn to Lord Macaulay's expression of wonder, in a letter written to Mr. Randall in January 1857. Says he:—"There can, I apprehend, be no doubt that your institutions have during the whole of the nineteenth century been constantly becoming more Jeffersonian and less Washingtonian. It is surely strange that while this process has been going on, Washington should have been exalted into a god, and Jefferson degraded into a demon."

Mr. Jefferson has been accused of imbibing whilst in France, the wild and fanatical republicanism of that impulsive and mercurial people. How far the extravagance of the French thought, at the time of his residence amongst them, may have given color to his own views on the subject, cannot perhaps be defined; yet it cannot be questioned that his "Summary View," written ten years before he saw France, embodies a theory of republicanism marvellously like the views he held when the Constitution was adopted, and to the day of his death.

The opinion of Mr. Jefferson and his politics, held by an Englishman whose mind appeared to be a universe in itself, will be interesting—albeit not complementary either to Mr. Jefferson or our republican

government. In May 1857, Lord Macaulay thus wrote, on American institutions, to Mr. Randall, the author of the *Life of Thomas Jefferson* :

“You are surprised to learn that I have not a high opinion of Mr. Jefferson, and I am surprised at your surprise. I am certain that I never wrote a line, and that I never, in parliament, in conversation, or even on the hustings—a place where it is the fashion to court the populace—uttered a word indicating an opinion that the supreme authority in a State ought to be intrusted to the majority of the citizens told by the head ; in other words, to the poorest and most ignorant part of society. I have long been convinced that institutions purely democratic must, sooner or later, destroy liberty or civilization, or both. In Europe, where the population is dense, the effect of such institutions would be almost instantaneous. What happened lately in France is an example. In 1848 a pure democracy was established there. During a short time there was reason to expect a general spoliation, a national bankruptcy, a new partition of the soil, a maximum of prices, a ruinous load of taxation laid on the rich for the purpose of supporting the poor in idleness. Such a system would, in twenty years, have made France as poor and barbarous as the France of the Carlovingians. Happily, the danger was averted; and now there is a despotism, a si-

lent tribune, an enslaved press. Liberty is gone, but civilization has been saved. I have not the smallest doubt that if we had a purely democratic government here the effect would be the same. Either the poor would plunder the rich, and civilization would perish; or order and prosperity would be saved by a strong military government, and liberty would perish. You may think that your country enjoys an exemption from these evils. I will frankly own to you that I am of a very different opinion. Your fate I believe to be certain, though it is deferred by a physical cause. As long as you have a boundless extent of fertile and unoccupied land, your laboring population will be far more at ease than the laboring population of the Old World, and, while that is the case, the Jefferson politics may continue to exist without causing any fatal calamity.* But the time will come when New England will be as thickly peopled as old England. Wages will be as low, and will fluctuate as much with you as with us. You will have your Manchesters and Birminghams, and in those Manchesters and Birminghams hundreds of thousands of artisans will assuredly be sometimes out of work. Then your institutions will be fairly brought to the test. Distress

* Mr. Jefferson himself said the people would "remain virtuous as long as agriculture is our principal object, which will be the case while there remain vacant lands in America. When we get piled upon one another in large cities, as in Europe, we shall become corrupt as in Europe."

everywhere makes the laborer mutinous and discontented, and inclines him to listen with eagerness to agitators, who tell him that it is a monstrous iniquity that one man should have a million, while another cannot get a full meal. In bad years there is plenty of grumbling here, and sometimes a little rioting. But it matters little. For here the sufferers are not the rulers. The supreme power is in the hands of a class, numerous indeed, but select; of an educated class; of a class which is, and knows itself to be, deeply interested in the security of property and the maintenance of order. Accordingly, the malcontents are firmly yet gently restrained. The bad time is got over without robbing the wealthy to relieve the indigent. The springs of national prosperity soon begin to flow again; work is plentiful, wages rise, and all is tranquility and cheerfulness. I have seen England pass three or four times through such critical seasons as I have described. Through such seasons the United States will have to pass in the course of the next century, if not of this. How will you pass through them? I heartily wish you a good deliverance. But my reason and my wishes are at war, and I cannot help foreboding the worst. It is quite plain that your government will never be able to restrain a distressed and discontented majority. For with you the majority is the government, and has the rich, who are always a minority, absolutely at its mercy. The

day will come when in the state of New York a multitude of people, none of whom has had more than half a breakfast, or expects to have more than half a dinner, will choose a legislature. Is it possible to doubt what sort of a legislature will be chosen? On one side is a statesman preaching patience, respect for vested rights, strict observance of public faith. On the other is a demagogue, ranting about the tyranny of capitalists and usurers, and asking why any body should be permitted to drink champagne, and to ride in a carriage, while thousands of honest folks are in want of necessaries. Which of the two candidates is likely to be preferred by a working-man, who hears his children cry for more bread? I seriously apprehend that you will, in some such season of adversity as I have described, do things which will prevent prosperity from returning; that you will act like people who should in a year of scarcity devour all the seed-corn, and thus make the next a year, not of scarcity, but of absolute famine. There will be, I fear, spoliation. The spoliation will increase the distress. The distress will produce fresh spoliation. There is nothing to stop you. Your Constitution is all sail and no anchor. As I said before, when a society has entered on this downward progress, either civilization or liberty must perish. Either some Cæsar or Napoleon will seize the reins of government with a strong hand, or your republic will be as fearfully plun-

dered and laid waste by barbarians in the twentieth century, as the Roman Empire was in the fifth; with this difference, that the Huns and Vandals who ravaged the Roman Empire came from without, and that your Huns and Vandals will have been engendered within your own country, by your own institutions. Thinking thus, of course, I cannot reckon Jefferson among the benefactors of mankind.”*

That a peer of England—albeit one not by inheritance but by appointment from the body of the people—should not believe in the permanence or the excellence of republican government, is not remarkable; especially when we consider how many Americans, born and reared under its influences, substantially agree with his main propositions. Doubtless all reflecting men—Americans or others—will concur, that the views so clearly and forcibly put by Lord Macaulay are sound and wise as general propositions. This letter, however, presents an argument against the *permanence* of *pure democracy* alone; and, so far from proving, virtually admits, that the republican form of government may have been the best for our people in Mr. Jefferson’s day, or may be even now. In asserting that our Constitution (which Jefferson never fully approved,) is “all sail and no anchor,” he treats us as a consolidated republic, and entirely over-

* Trevelyan’s “Macaulay’s Life and Letters.”

looks the constitutions of the various states, which, like the planets in their revolutions round the sun, have their separate and independent orbits; he forgets that, like the planets, their movements and operations depend on powers higher than the sun they circle; that, borrowing whatever of light and warmth they need from their central sun in the day time of prosperity, they are yet competent to pass safely through nights of adversity (such as he predicts) even though the central luminary sheds no rays upon them—having, however, in reserve, a power the planets have not, of calling, at will, to their aid, the strong arm of the central power they have themselves created. He clearly overlooks the fact that the states in their respective spheres of sovereignty have all power over their domestic concerns—can control the question of suffrage—can organize and discipline their militia, and do all things necessary for their internal protection and prosperity—utilizing the co-operation of the Federal power, at will, when needed.*

The comparison he institutes between the Americans and the French, and the whole tone and tenor of

* The railroad riots in Baltimore, Maryland—Pittsburg, Pennsylvania, and intermediate points on the line of the Baltimore and Ohio railroad, a few years since, constitute no argument against this view. The inability of the state troops to quell those riots, arose from the neglect of the states to properly train and discipline their militia—a neglect natural enough, perhaps, after the *ad nauseam* experiences of the recent war, but a neglect which is a constant menace to our rights and liberties.

his letter, show how largely even Lord Macaulay shared in that amazing English ignorance of American character. He does not appear to see, at all, how great must be that people, who, in a hundred years, have, in many things, outgrown England, even under a form of government so disadvantageous in some respects—a form of government which England found herself unable to endure for even a few years; although the throes of Cromwell's commonwealth wrought out for her a deliverance, which Lord Macaulay, in his writings, praises to the skies.

Standing upon the principle of England's governmental permanence and stability—bought by blood and ages of experience—he forgets that America has her destiny yet to achieve, and that her brief but astonishing history demonstrates her ability to do it. He did not live to see, how, in a four years' civil war, the American people engrafted upon the *purity* of their *democracy* the *strength* of a *limited monarchy*, by establishing as law, that the Union, like the states themselves, is indestructible—thus in a day, as it were, taking the second great step towards harmonizing in the triune form, the three fundamental systems of government known to mankind. That the germ, at least, of the third essential principle—the *wisdom* which characterizes the *aristocracy*—is already in our people, is proven by the fact that the *personnel* of our Senate compared not unfavorably with the British

house of lords, up to that period of our history, when through the fell agency of unrestricted suffrage, the states sent incompetent senators to represent them at the seat of Federal government. That the "manhood suffrage" madness, (a natural resultant from sudden emancipation,) which has already disgusted all our thinking people, will in time be rectified by the independent states; and that the United States Senate will be restored to its former exalted standard, by the action of the separate states, each for itself, none can doubt, who correctly read the signs of the times or know the character of the American people. Then will our government possess all the virtues of the British Constitution without any of its useless pageantry, whilst it will still be a government *of the people, by the people, and for the people.*

That Mr. Jefferson foresaw dangers which his country would have to encounter, clearly appears from his writings and conversations. For example, although he was himself a large slave-owner, he highly disapproved of the institution of slavery, not only because he thought it wrong in itself, but because he felt it was fraught with danger to the country. "I tremble for my country," said he, as early as 1782, "when I reflect that God is just, that his justice cannot sleep forever. The way, I hope, is preparing under the auspices of Heaven, for a total emancipation:"—and again: "Nothing is more cer-

tainly written in the book of fate than that these people are to be free; nor is it less certain that the two races, equally free, cannot live in the same government." The first article of this prediction has been fulfilled; the second is worthy of the attention of statesmen now.

That Mr. Jefferson, notwithstanding his great partiality for "States Rights," (that sheet-anchor of our republican system,) believed also in fully sustaining the just rights of the Federal department of the government, is conclusively shown by the energetic manner in which he asserted the Federal prerogative in Aaron Burr's conspiracy; and historians have noticed his palpable "stretching of executive authority" in the purchase of Louisiana during his administration.

In December 1793, Mr. Jefferson resigned his place in the cabinet. He retired to Monticello and devoted himself for some years to his private affairs. He remained in retirement until he entered upon the duties of the office of Vice-President of the United States on the 4th of March 1797. In the next presidential election he and Colonel Burr received the same number of electoral votes. This threw the election into the house of representatives; and, upon the thirty-sixth ballot in the house, Mr. Jefferson was declared President of the United States. He took his seat March 4th, 1801, and, by an almost unanimous reelection, in the electoral college, held the office until

March, 1809. At that period his political career terminated, and the remainder of his life was spent in retirement, and in the avocations of private life. One subject, however, beyond his private affairs, specially occupied him. It was the establishment and success of the University of Virginia. This noble institution was his work, and "Father of the University of Virginia" is inscribed upon the stone which marks his resting place at Monticello. No pen, however ready; no tongue, however eloquent, can offer praises to his memory comparable to those, which, like the ceaseless influences of the sunlight, are ever flowing out from that renowned seat of learning; and the measure of Virginia's failure in the future to cherish that crown-jewel of her possessions, will be in direct ratio with her decadence in those things which constitute her highest glory!

As early as the year 1779, Mr. Jefferson had proposed a plan and introduced a bill in the Virginia assembly for an institution of the kind. The following extract from a letter written by Professor John B. Minor, in 1851, to Mr. Randall, gives an interesting sketch of the origin of the University:

"A seminary called the 'Albemarle Academy,' had, since 1803, subsisted in Charlottesville, but had fallen into a declining condition, when in 1814 a motive of private speculation led to an effort to revive it. Mr. Jefferson's co-operation being requested, he proposed

an enlargement of the plan into a college. The idea was received with great favor, and sixty thousand dollars was soon subscribed in the central counties of Virginia, and the buildings were commenced under the direction of Mr. Jefferson, Mr. Madison, Mr. Monroe, and several other gentlemen of distinction, as a board of visitors. . . . The institution was incorporated in February, 1816, by the name of 'The Central College,' and under the illustrious auspices of its *president visitors* it attracted such attention and favor, as to enable Mr. Jefferson to renew the suggestion of a comprehensive plan of public education. Within a few days from the date of the act of incorporation, the president and directors of the literary fund were directed by joint resolution of both houses to report to the next general assembly a system comprehending an university, and such additional colleges, academies, and schools as would diffuse the benefits of education throughout the commonwealth. A report was accordingly made, recommending a plan, not dissimilar to that proposed by Mr. Jefferson in 1779, and a bill to carry it into effect was passed by the house of delegates, but lost in the senate. At the ensuing session, in February, 1818, an act was passed, appropriating from the revenues of the literary fund forty-five thousand dollars *per annum* for the primary education of the poor, and fifteen thousand dollars *per annum* for the support of

a university, which in the course of the next year was located on the site of the Central College, and the college, of course, merged in it. In January, 1819, the law organizing the University was enacted, but the institution did not commence operations until 1825, the interval having been employed in the erection of buildings."

Early in the year 1826, Mr. Jefferson's health began rapidly to decline; and on the 4th of July of that year, after many months of patient suffering and decrepitude, he breathed his last at Monticello, in the 84th year of his age. He had, a short time before his death, been invited by the mayor of Washington city, to unite with the other surviving signers of the Declaration of Independence, in the celebration, in that city, of the fiftieth anniversary of American independence. His letter of June 24th, 1826, declining the invitation on account of his feeble health, was the last letter of his life. Mr. Randall, after quoting this letter in full, thus beautifully eulogizes the two patriots and compatriots, whose lives, by a most singular coincidence, terminated on that memorable 4th of July.*

"John Adams and Thomas Jefferson were summoned to a greater, and we would fain hope, a still

* The death of Mr. Jefferson and Mr. Adams, on the 4th of July, 1826, left Charles Carroll, of Carrollton, the last surviving signer of the Declaration of Independence. Mr. Carroll died Nov'r 14th, 1832.

more joyful meeting of ancient friends and comrades on that day. The national anniversary being the first semi-centennial one, seemed in the popular mind, to mark a distinctive epoch, and it was celebrated everywhere with unusual festivity and splendor. At fifty minutes past meridian, on that day, Jefferson died. At the moment, thousands of patriotic orations were being pronounced, in which his name figured second to none. Thousands of popular assemblies had listened that day to the great Declaration drafted by his hand. Bells were ringing, and cannons booming in every town and hamlet of our country. Aged men, clad in their holiday attire, were gathered in knots, discoursing of the sword and pen of America—of Washington and Jefferson. Nor were lion-hearted John Adams, Franklin and others, forgotten. Young men and maidens were collected in happy parties; some repairing to favorite retreats—some filling boats surmounted by gay streamers, on our lakes and rivers—some visiting stern old revolutionary battle-fields. Even the little children were celebrating the day by waving miniature flags, firing miniature cannon, and dragging together, with shrill glee, the materials for the evening bonfire. The spirit of the great leader and lover of his kind appropriately ascended amidst the jubilant and noisy commotion of a nation's happiness. Thus would he have chosen to die.

“Hundreds and hundreds of miles away, John Ad-

ams's last sands were running out. The very sky echoed the long exultant shout as his characteristic toast was read at Quincy—"Independence forever." He lingered behind Jefferson, and his last words, uttered in the failing articulation of the dying, were: "THOMAS JEFFERSON STILL SURVIVES." All that was mortal of Jefferson had ceased to live when these words were spoken."

Of Mr. Jefferson's religious views, Mr. Randall thus writes:—

"Mr. Jefferson was a public professor of his belief in the Christian religion. In all his most important State papers, such as his Summary View of the Rights of British America, his portion of the Declaration made by Congress on the causes of taking up arms, the Declaration of Independence, the draft of a Constitution for Virginia, etc., there are more or less pointed recognitions of God and Providence. In his two inaugural addresses as President of the United States, and in many of his annual messages, he makes the same recognitions—clothes them on several occasions in the most explicit language—substantially avows the God of his faith to be the God of revelation—declares his belief in the efficacy of prayer, and the duty of ascriptions of praise to the Author of all mercies—and speaks of the Christian religion, as

professed in his country, as a benign religion, evincing the favor of heaven.

“Had his wishes been consulted, the symbol borne on our national seal would have contained our public profession of Christianity as a nation.

“There is nothing in his writings, or in the history of his life to show that his public declarations were insincere, or thrown out for mere effect. On the contrary, his most confidential writings sustained his public professions, and advance beyond them into the avowal of a belief in a future state of rewards and punishments.

“He contributed freely to the erection of Christian churches, gave money to Bible societies and other religious objects, and was a liberal and regular contributor to the support of the clergy. Letters of his are extant which show him urging, with respectful delicacy, the acceptance of extra and unsolicited contributions, on the pastor of his parish, on occasions of extra expense to the latter, such as the building of a house, the meeting of an ecclesiastical convention at Charlottesville, etc. In these letters he assumes that he is only performing a duty, and pleasantly compares it to the discharge of a special service, by a feudal inferior to his liege lord, on those extraordinary occasions when it was required by the feudal law.

“He attended church with as much regularity as most of the members of the congregation—some-

times going alone on horseback, when his family remained at home. He generally attended the Episcopal church, and when he did so, always carried his prayer-book, and joined in the responses and prayers of the congregation. He was baptized into the Episcopal church in his infancy; he was married by one of its clergymen; his wife lived and died a member of it; his children were baptized into it, and when married, were married according to its rites; its burial services were read over those of them who preceded him to the grave, over his wife, and finally over himself.

“No person ever heard him utter a word of profanity, and those who met him most familiarly through periods of acquaintance, extending from two or three to twenty or thirty years, declare that they never heard a word of impiety, or any scoff at religion, from his lips. Among his numerous familiar acquaintances, we have not found one whose testimony is different—or who entertained any doubts of the strict justice, sincerity, truthfulness, and exemplariness of his personal character.”

His personal appearance and character when a young man, are thus further described by the same author:

“His appearance was engaging. His face, though angular, and far from beautiful, beamed with intelli-

gence, with benevolence, and with the cheerful vivacity of a happy, hopeful spirit. His complexion was ruddy, and delicately fair; his reddish chestnut hair luxuriant and silken. His full, deep-set eyes, the prevailing color of which was a light hazel (or flecks of hazel on a groundwork of grey), were peculiarly expressive, and mirrored, as the clear lake mirrors the cloud, every emotion which was passing through his mind. He stood six feet two and a half inches in height, and though very slim at this period, his form was erect and sinewy, and his movements displayed elasticity and vigor. He was an expert musician, a fine dancer, a dashing rider, and there was no manly exercise in which he could not play well his part. His manners were unusually graceful, but simple and cordial. His conversation already possessed no inconsiderable share of that charm which, in after years was so much extolled by friends, and to which enemies attributed so seductive an influence in moulding the young and the wavering to his political views. There was a frankness, earnestness, and cordiality in its tone—a deep sympathy with humanity—a confidence in man, and a sanguine hopefulness in his destiny, which irresistibly won upon the feelings not only of the ordinary hearer, but of those grave men whose commerce with the world had perhaps led them to form less glowing estimates of it—of such men as the scholarlike Small, the sagacious Wythe,

the courtly and gifted Fauquier. Mr. Jefferson's temper was gentle, kindly and forgiving. If it naturally had anything of that warmth which is the usual concomitant of affections and sympathies so ardent, and it no doubt had, it had been subjugated by habitual control. Yet, under its even placidity, there were not wanting those indications of calm self-reliance and courage which all instinctively recognize and respect. There is not an instance on record of his having been engaged in a personal rencontre, or his having suffered a personal indignity. Possessing the accomplishments, he avoided the vices, of the young Virginia gentry of the day, and a class of habits, which, if not vices in themselves, were too often made the preludes to them. He never gambled. To avoid importunities to games which were generally accompanied with betting, he never learned to distinguish one card from another; he was moderate in the enjoyments of the table; to strong drinks he had an aversion which rarely yielded to any circumstances; his mouth was unpolluted by oaths or tobacco!—Though he speaks of enjoying 'the victory of a favorite horse,' and the 'death of the fox,' he never put but one horse in training to run—never ran but a single race, and he very rarely joined in the pleasant excitement—he knew it to be too pleasant for the aspiring student—of the chase."

Of his patience and forbearance with young men—

that virtue so difficult of attainment by the great—Mr. Randall thus writes:

“Mr. Jefferson was, indeed, always fond of young men. To the last day of his life, no society could be possibly more acceptable to him than that of intelligent, ingenuous, well-bred, and especially scholarly young men—though he could well overlook the last qualification, where gallantry or elevation of character atoned for the loss. It was with such, that his conversation always took its most captivating tone and range. It was with such, that the usually carefully repressed enthusiasm of his nature gradually infused itself into his conversation, and burning words, and tones that lingered for years in the ears, and that indefinable expression in his eye of earnestness and human lovingness, spell-bound and captivated. . . . He was remarkably tolerant of the foibles of young men. He could, if he saw the *man* underneath, very readily excuse many things in them, which are apt to excite the indignation, or at least the contemptuous ridicule, of mature persons. He could, for instance, (under the saving clause just named,) good naturedly tolerate any moderate display of foppishness, heedlessness, exuberant levity, and all those other transient mental diseases, which, like chicken-pox, measles and other youthful disorders of the body, most must have once.”

Mr. Jefferson was always a man of method, and this trait, coupled with his great industry, goes far towards accounting for the vast work he accomplished among men. It is related of him, that on one occasion near the close of his life, inquiry was made of him as to certain steps taken in a law proceeding he had been engaged in some fifty years before. To the apologies of his visitor for troubling him about the matter, he replied that it would be no trouble at all, for if he had the paper which would supply the necessary information, he could put his hand on it in "less than one minute." This he actually did, to the astonishment of the visitor.

It would fill a volume to collate even choice extracts from the testimony of the "cloud of witnesses" who have made up the record of Mr. Jefferson's fame, both in public and private spheres. But a few examples can here be given.

The historian, Bancroft, says:

"No man of his century had more trust in the collective reason and conscience of his fellow-men, or better knew how to take their counsel; and in return he came to be a ruler over the willing in the world of opinion. Born to an independent fortune, he had from his youth been an indefatigable student. Of a calm temperament and a philosophic cast of mind, always temperate in his mode of life, and decorous in

his manners, he was a perfect master of his passions. He was of a delicate organization, and fond of elegance; his tastes were refined; laborious in his application to business or the pursuits of knowledge; music, the most spiritual of all pleasures of the senses, was his favorite recreation; and he took a never-failing delight in the beauty of the various scenery of rural life, building himself a home in the loveliest region of his native state. He was a skillful horseman; and he also delighted to roam the mountains on foot. The range of his knowledge was very wide; he was not unfamiliar with the literature of Greece and Rome; had an aptitude for mathematics and mechanics; and loved especially the natural sciences; scorning nothing but metaphysics. . . . He had great power in mastering details as well as in searching for general principles. His profession was that of the law, in which he was methodical, painstaking and successful; at the same time he studied law as a science, and was well read in the law of nature and of nations. Whatever he had to do, it was his custom to prepare himself for it carefully; and in public life, when others were at fault, they often found that he had already hewed out the way; so that in council, men willingly gave him the lead, which he never appeared to claim, and was always able to undertake. . . . By the general consent of Virginia, he stood first among her civilians."

Mr. Madison, upon hearing of his death, thus wrote:

“He lives and will live in the memory and gratitude of the wise and good, as a luminary of science, as a votary of liberty, as a model of patriotism, and as a benefactor of the human kind. In these characters I have known him, and not less in the virtues and charms of social life, for a period of fifty years, during which there was not an interruption or diminution of mutual confidence and cordial friendship, for a single moment, in a single instance.”

In a tear-stained letter, soon after Mr. Jefferson's death, Judge Dabney Carr of the Court of Appeals of Virginia, thus wrote:

“The loss of Mr. Jefferson is one over which the whole world will mourn. He was one of those ornaments and benefactors of the human race, whose death forms an epoch, and creates a sensation throughout the whole circle of civilized man. But that feeling is nothing to what those feel who are connected with him by blood, and bound to him by gratitude for a thousand favors. To me he had been more than a father, and I have ever loved and revered him with my whole heart. . . . Taken as a whole, history presents nothing so grand, so beautiful, so peculiarly felicitous in all the great points, as the life and character of Thomas Jefferson.”



JOHN MARSHALL.

7

JOHN MARSHALL.

"THE history of General Washington, from the time of his appointment to the command of the American armies," says chief justice Marshall, "is the history of his country." So true is this remark as applied to the Chief Justice himself, that his personal history almost absolutely ceases, from the time he became the "great expounder of the Constitution." And, indeed, his unparalleled modesty and unaffectedness of character, make a just biography of him next to impossible, and even a running sketch inconceivably difficult. Sir James Mackintosh has skilfully pointed out the difficulty of distinguishing those portions of the lives of great men which ought to be admitted into history, from those which should be reserved for biography:—but what must be the guide in a case like the one in hand, where the materials for both history and biography are veiled, or absorbed, in the noiseless under-current of a life of unconscious greatness? But that we are permitted, in a measure, to "read their history in a nation's eyes;" the lives of

such men, however illustrious, would, in a few generations, be forgotten.

It is doubtful whether our annals, or, excepting the Earl of Camden, the annals of England, can furnish another record like John Marshall's; a record of one passing through many years of political preferment, and in troublous times, without a single enemy, or a single traducer. It needed not the sanctity of the judicial ermine, to lift him up, and make him—Saul-like—head and shoulders above his brethren; but it was the native grandeur of the man, it was those in-born graces of heart and mind, which cast a mellow radiance around him, and which, in private life, in the camp, and even in the dusty arena of politics, have commanded the admiration and esteem alike of his cotemporaries, and of succeeding generations. Truly, (as the sequel will show,) it could be said of him, as Lord Macaulay has said of Lord Holland:—"Nature had done much for him: she had moulded him of that clay of which she is most sparing. She had given him strong reason and sharp wit; a quick relish for every physical and intellectual enjoyment; constitutional intrepidity, and that frankness by which constitutional intrepidity is generally accompanied; spirits which nothing could depress; a temper easy, generous and placable; and that genial courtesy which has its seat in the heart, and of which artificial politeness is only a faint and cold imitation."

John Marshall was born in Fauquier county, Virginia, on the 24th day of September, 1755. He was the son of Colonel Thomas Marshall of Revolutionary fame, and was the eldest of fifteen children. It has been well said, that "children reared among numerous brothers and sisters, are more apt, on that account, to make good men and women. The kindly affections are more exercised; emulation, tempered by such love as prevents its festering into malignity, stimulates to greater activity of body and mind; each one has less expectation of hereditary fortune—that great palsier of useful energies; and each comes in for less of that parental fondness, which when concentrated upon one, or two, or three children, so often spoils their characters, and embitters their lives. To the influence of this truth upon young Marshall's destinies, add the judicious training and admirable example of an intelligent father, and the hardy, active life he led, in a wild and mountainous region abounding in game—and many of the best traits of his character, as well as much of his subsequent eminence, are at once accounted for."

Mr. Marshall's classical education consisted of but two years' schooling in Latin; first in Westmoreland, from the age of fourteen to fifteen, where James Monroe was his schoolmate; then, for another year, in his father's house, under the tutorage of a Scotch clergyman named Thompson, who was rector of the

parish. The remainder of that store of knowledge which he afterwards acquired, he owed to his father's assistance, and the untiring exercise of his own great powers of mind. One of the sweetest and noblest traits of his character was the reverent affection he ever bore to that excellent father. Of his father, says Judge Story, "I have often heard the chief justice speak in terms of the deepest affection and reverence. . . . Indeed, he never named his father, without dwelling on his character with a fond and winning enthusiasm. It was a theme, on which he broke out with spontaneous eloquence; and in the spirit of the most persuasive confidence, he would delight to expatiate on his virtues and talents. 'My father,' he would say with kindled feelings and emphasis, 'my father was a far abler man than any of his sons. To him I owe the solid foundation of all my own success in life.' Such praise from such lips is inexpressibly precious. I know not whether it be more honorable to the parent, or to the child. It warms, while it elevates our admiration of both."

Mr. Marshall commenced the study of law at the age of seventeen or eighteen years. Soon, however, his studies were interrupted by the impending war of the Revolution, and gave place to the pursuit of military knowledge. With all the ardor of enthusiastic youth he espoused the cause of the colonies, and bent his mental and physical energies to the acquirement

of such theoretical and practical information in the art of war, as might fit him for any demand his country might make upon him. Though but a youth of some nineteen years, and so modest and unassuming withal, yet his companions' spontaneous recognition of his superior parts, could not fail to clothe him with a position of command. Accordingly, our first knowledge of him in a military sphere, is as lieutenant in the military company of his neighborhood. The Hon. Horace Binney, in his beautiful "Eulogy on the Life and Character of John Marshall," has given the following graphic sketch; not only presenting Mr. Marshall's personal appearance at the time, but exhibiting that "simplicity, gaiety of heart, and manliness of spirit," which characterized him from his youth up. Says Mr. Binney: "A kinsman and contemporary who was an eye-witness of this scene, has thus described it to me:—"It was in May, 1775. He was then a youth of nineteen. The muster field was some twenty miles distant from the court-house, and in a section of country peopled by tillers of the earth. Rumors of the occurrences near Boston, had circulated with the effect of alarm and agitation, but without the means of ascertaining the truth, for not a newspaper was printed nearer than Williamsburg, nor was one taken within the bounds of the militia company, though large. The captain had called the company together and was expected to attend, but

did not. John Marshall had been appointed lieutenant to it. His father had formerly commanded it. Soon after Lieutenant Marshall's appearance on the ground, those who knew him clustered about him to greet him, others from curiosity, and to hear the news.

"He proceeded to inform the company that the captain would not be there, and that he had been appointed lieutenant instead of a better:—that he had come to meet them as fellow-soldiers, who were likely to be called on to defend their country, and their own rights and liberties, invaded by the British:—that there had been a battle at Lexington in Massachusetts, between the British and Americans, in which the Americans were victorious, but that more fighting was expected:—that soldiers were called for, and that it was time to brighten their fire-arms, and learn to use them in the field;—and that if they would fall into a single line, he would show them the new manual exercise, for which purpose he had brought his gun,—bringing it up to his shoulder. The sergeants put the men in line, and their fugleman presented himself in front to the right. His figure, says his venerable kinsman, I have now before me. He was about six feet high, straight and rather slender, of dark complexion—showing little if any rosy red, yet good health, the outline of the face nearly a circle, and within that,

•

eyes dark to blackness, strong and penetrating, beaming with intelligence and good nature; an upright forehead, rather low, was terminated in a horizontal line by a mass of raven-black hair of unusual thickness and strength—the features of the face were in harmony with this outline, and the temples fully developed. The result of this combination was interesting and very agreeable. The body and limbs indicated agility, rather than strength, in which, however, he was by no means deficient. He wore a purple or pale-blue hunting-shirt, and trowsers of the same material fringed with white. A round black hat, mounted with the buck-tails for a cockade, crowned the figure and the man.

“He went through the manual exercise by word and motion deliberately pronounced and performed, in the presence of the company, before he required the men to imitate him; and then proceeded to exercise them, with the most perfect temper. Never did man possess a temper more happy, or if otherwise, more subdued or better disciplined.

“After a few lessons, the company were dismissed, and informed that if they wished to hear more about the war, and would form a circle around him, he would tell them what he understood about it. The circle was formed, and he addressed the company for something like an hour. I remember, for I was near him, that he spoke at the close of his speech of the Minute

Battalion, about to be raised, and said he was going into it, and expected to be joined by many of his hearers. He then challenged an acquaintance to a game of quoits, and they closed the day with foot-races, and other athletic exercises."

Mr. Marshall's partiality for the game of *quoits*, manifested thus early in his life, never left him. It was his favorite pastime after he became chief justice, and even after age and decrepitude had overtaken him. In this connection, and showing in striking colors, the child-like simplicity and guilelessness of the man; a pleasing incident is related in an editorial article, in the *Southern Literary Messenger* of February 1836.

"In Judge Marshall's yearly visits to Fauquier, where the proper implements of his favorite sport were not to be had, he still practised it among his rustic friends, with *flat stones* for quoits. A casual guest at a *barbecue* in that county—one of those rural entertainments so frequent among the country people of Virginia—soon after his arrival at the spot, saw an old man emerge from a thicket which bordered the neighboring brook, carrying as large a pile of these flat stones as he could hold between his right arm and his chin: he stepped briskly up to the company, and threw down his load among them, exclaiming, 'There! here are quoits enough for us all!' The stranger's surprise may be imagined, when he found

that this plain and cheerful old man was the chief justice of the United States."

Relating another reminiscence of the chief justice, when engaged in his favorite pastime, on another occasion, at Richmond;—the *American Turf Register* of 1829 says:—

"Such is the partiality for the chief justice, that it is said the greatest anxiety is felt for his success in the game by the by-standers; and on one occasion an old Scotch gentleman was called on to decide between his quoit and that of another, who, after seemingly careful measurement, answered, 'Mister *Mareshall* has it a *leattle*,' when it was visible to all that the contrary was the fact."

The glimpses, which incidents like these give, of the winning disposition of this pure man, are surpassingly charming. They exhibit a sweetness, a freshness, an innocence, such as the world attributes not at all to men, rarely to women, and always to little children only. Such traits, so rare, so worshipful in mankind, are lines let down to earth from higher spheres. They are the gracious recognitions of the golden sceptre held out to a favored few, who, standing in the inner court of the king's house, win—Esther-like—his royal favor. They manifest divinity in humanity, good in evil, God in man!

Mr. Marshall was commissioned a lieutenant in the famous "Culpeper Minutemen;" and, in December,

1775, took part with his regiment, of which his father was major, in the engagement at Great Bridge; where Lord Dunmore was signally defeated, and driven to the shelter of his ships. In the following July he entered the Continental service as lieutenant in the Eleventh Virginia Regiment; and, in May, 1777, was promoted to the rank of captain. He fought gallantly with his command in the battles of Brandywine, Germantown and Monmouth, besides one or more skirmishes; and continued in active service with the army in the north under General Washington, until the close of 1779; when, by reason of the expiration of the term of enlistment of his command, he was sent back, with other officers, to Virginia, to take such service as the legislature of the State might assign him to. "He was," says Mr. Binney, "one of that body of men, never surpassed in the history of the world, who, unpaid, unclothed, unfed,—tracked the snows of Valley Forge with the blood of their footsteps, in the rigorous winter of 1778, and yet turned not their faces from their country in resentment, or from their enemies in fear." During the period of his service in the north, was commenced that acquaintanceship with General Washington, which afterwards ripened into the most intimate relations, and laid the foundation for his unrivalled biography of his illustrious chief. It is quite remarkable that a mere youth, a student of law who had

never heard a lecture, had never been to college, or even an academy, should have been selected to perform the important and responsible duties of judge-advocate; a position usually assigned to the best lawyers to be found in the corps where courts-martial are held. And yet it is said that at this period "he acted frequently as deputy judge-advocate, and secured the warm regard of Washington."

Upon his return to Virginia in the winter of 1779-'80, he took advantage of the delay which occurred in assigning him to military duty, and attended Chancellor Wythe's course of law lectures, and Bishop Madison's lectures on natural philosophy, at William and Mary College. In the summer of 1780 he obtained his license to practise law, and being yet unassigned to any service by the legislature of Virginia, he returned, on foot, in the following October, to the army in the north. Shortly afterwards he resigned his commission, by reason of a redundancy of officers in the Virginia line.

It cannot be denied, that whilst Mr. Marshall's military career was highly creditable, and gave evidence of genuine manhood in all respects; yet clearly his great powers, and not less his personal predilections, ran more in civil than in warlike channels. Had he been a *born* soldier, as he was a *born* jurist, no redundancy of officers, or other cause, could have remanded him to civil life pending the American Revolution. Doubt-

less he was glad enough to return to his legal studies; and, like Lord Eldon,—when solicited to join Erskine's corps of lawyers, to repel Napoleon's threatened invasion,—he "*doubted* the expediency of mixing in the ranks." But, as we have already seen in the reminiscence quoted from Mr. Binney, he had been the *fugleman* and not a *member* of the awkward squad, like Attorney-General Law, who was a member of Erskine's corps of lawyers; and who, when reprimanded for always *looking at his feet* when the word of command, "left leg forward," was given—replied,—"*By what process* can I know that I put my left leg forward except by looking?"

Mr. Marshall prosecuted his legal studies during the suspension of the courts, until the capitulation of Cornwallis at Yorktown in October 1781; when he was regularly admitted to the bar, and his career as a jurist began. An amusing anecdote in connection with his early professional life, is related by Mr. Howe in his history of Virginia. "Marshall," says Mr. Howe, "was noted for extreme plainness of person and address, and a child-like simplicity of character. His carelessness of his personal attire, in early life particularly, is well known, and on one occasion (as stated in the *Literary Messenger*), while travelling, occasioned his being refused admittance into a public house. On the occasion which we are now to relate,

it caused him the loss of a generous fee. Marshall, when just rising on the professional ladder, was one morning strolling through the streets of Richmond, attired in a plain linen roundabout and shorts, with his hat under his arm, from which he was eating cherries, when he stopped in the porch of the Eagle hotel, indulged in some little pleasantry with the landlord, and then passed on. Mr. P—, an elderly gentleman from the country, then present, who had a case coming on before the court of appeals, was referred by the landlord to Marshall, as the best advocate for him to employ; but the careless, languid air of the young lawyer, had so prejudiced Mr. P—, that he refused to engage him. On entering the court Mr. P— was a second time referred to Marshall by the clerk of the court, and a second time he declined. At this moment entered Mr. —, a venerable-looking legal gentleman, in a powdered wig and black coat, whose dignified appearance produced such an impression on Mr. P—, that he at once engaged him. In the first case which came on, Marshall and Mr. — each addressed the court. The vast inferiority of his advocate was so apparent, that at the close of the case, Mr. P— introduced himself to young Marshall, frankly stated the prejudice which had caused him, in opposition to advice, to employ Mr. —; that he extremely regretted his error, but knew not how to remedy it. He had come into the city with one hundred dollars,

as his lawyer's fee, which he had paid, and had but five left, which, if Marshall chose, he would cheerfully give him, for assisting in the case. Marshall, pleased with the incident, accepted the offer; not however, without passing a sly joke at the *omnipotence* of a powdered wig and black coat."

What measure of success Mr. Marshall met with in this case, either with respect to the decision, or a supplement to his small retaining fee, does not appear; it is highly probable, though, that he *earned* a generous fee, even if he did not receive it. It is highly probable, moreover, that it was not long before retainers poured in upon him, in spite of his "extreme plainness of person and address;" for, according to Mr. Binney, he seems to have been exempt from the drudgery and hard apprenticeship which young lawyers usually suffer, and to have risen rapidly to distinction. "His placidity, moderation, and calmness, irresistibly won the esteem of men, and invited them to intercourse with him;—his benevolent heart, and his serene and at times joyous temper, made him the cherished companion of his friends;—his candor and integrity attracted the confidence of the bar;—and that extraordinary comprehension and grasp of mind, by which difficulties were seized and overcome without effort or parade, commanded the attention and respect of the courts of justice." In his arguments as an advocate, and in his opinions as a judge, he

ever displayed that "*evisceratio causæ*,"—as the Roman orator calls it;—that "exact anatomy of the case, and dexterous piercing into the very bowels of it." He was eminently deserving of that higher commendation bestowed upon an English lawyer of distinction, "that he always argued like a lawyer and a gentleman."*

At a time of life when even the most assiduous lawyers are usually but just entering upon the higher plane of the profession, we find Mr. Marshall the leader of the bar in the appellate court of the State. A glance at the early reports will disclose the fact that he appears as counsel in nearly all the leading cases. It is somewhat curious too, to observe, that the first reported case in which the reporter, departing from his previous custom, gives the name of the counsel, and a syllabus of his argument, is Mr. Marshall's case. In this case,†—the first in which we find him reported as counsel,—he was successful, notwithstanding it involved the necessity of going behind the verdict of a jury upon the evidence of some of the jurors; which the court, in delivering the opinion, declared was a "delicate business, and should be proceeded in with caution, to prevent the mischief of the jurymen being tampered with."

It is not to be supposed, however, that Mr. Marshall would be permitted by his countrymen to devote

* See preface to Carter's Reports.

† Cochran vs. Street, 1 Wash 79.

his great talents exclusively to the practice of law; especially at a time when the wisest counsels were needed to improve the results of the recent struggle, and set in operation the new machinery of republican government. Indeed there were but few years of his professional life in which he was permitted to do so. As early as 1782, when only in his 27th year, he was elected from his native county to the legislature of Virginia; and, in the same year, was made a member of the executive council. With a view of giving closer attention to his profession, he resigned the latter office, upon his removal of his residence, shortly afterwards, to Richmond; but the people of Fauquier, not willing to relieve him as their representative, were not equally indulgent to his wishes; and, notwithstanding he was no longer a citizen of their county, re-elected him to the general assembly. Afterwards, in 1787, he represented the city of Richmond in the same body. He was a prominent and influential member of the Virginia Convention, which adopted the Federal Constitution, and the adoption of that famous instrument, in spite of Patrick Henry's unqualified opposition, was in no small degree due, as the debates show, to Mr. Marshall's able advocacy of it. He served in the legislature until 1792, and again in 1795, "not only without his approbation, but against his known wishes." His preference would have been to devote himself to his profession, and to have

avoided the more exciting arena of politics; but his constituents could not forego his able services in defending and effectuating the Federal Constitution after its adoption; and, in 1795, the people compelled him to stand forth as the champion of the Federal party in the bitter controversy which arose in respect to Jay's treaty. In this exciting period, "lest his *popularity* might suffer, he was urged by his friends not to engage in any legislative debates upon the obnoxious treaty. He answered, that he would make no movement to excite such a debate; but if others did so, he would assert his opinions at every hazard." Judge Story says:—"The speech of Mr. Marshall on this occasion has always been represented as one of the noblest efforts of his genius. . . . The fame of this admirable argument spread through the union. Even with his political enemies, it enhanced the estimate of his character; and it brought him at once to the notice of some of the most eminent statesmen, who then graced the councils of the nation." He was successively offered, and declined, the offices of Attorney-General of the United States, Minister to France, and Associate Justice of the Supreme Court of the United States. He was induced, however, to reconsider his declination of the Mission to France, and united with Messrs. Pinckney and Gerry in their unsuccessful efforts to bring the French Directory to reason, in respect to American commerce. In this

undertaking, albeit unsuccessful, Mr. Marshall gained great reputation and applause among his countrymen, for the ability with which he conducted the negotiations. His reception in New York, on his return from France in June 1798, was in nothing short of a triumphal entry.

At the earnest solicitation of General Washington, he entered the House of Representatives in 1799, where, as leader of the Federal party, he checked for a short season the political revolution which was rapidly and irresistibly culminating. The mournful duty devolved upon him, but a few weeks after taking his seat, of announcing to the house the death of Washington. It has already been noticed by a graceful pen, that "with characteristic modesty, Mr. Marshall, in the account of this transaction given by him as biographer of Washington, omits all mention of his own name; saying only, that '*a member* rose in his place,' &c."

The most signal display of Mr. Marshall's genius, whilst a member of Congress, was his speech in defence of President Adams, for delivering up, upon requisition, to the British government, Jonathan Robbins, a subject of Great Britain, who had committed a murder on board a British frigate, and then fled to the United States. This speech has been described as "one of the most masterly ever delivered in Congress." Mr. Binney says of it: "It has all the merits,

and nearly all the weight of a judicial sentence"; and Judge Story:—"It may be said of that speech, as was said of Lord Mansfield's celebrated answer to the Prussian memorial, it was *reponse sans replique*—an answer so irresistible, that it admitted of no reply. It silenced opposition; and settled then, and forever, the points of national law, upon which the controversy hinged."

In May, 1800, Mr. Marshall was appointed Secretary of War, but before entering upon the duties of that office, received the appointment of Secretary of State. This high position he filled with distinguished ability during the short time which elapsed until his nomination, in January 1801, to the exalted office of Chief Justice of the Supreme Court of the United States; in which he was promptly confirmed by the unanimous vote of the Senate. "It is a remarkable, yet not an extraordinary fact," says the *Literary Messenger*, "that his induction into that high office which he so illustriously filled, is precisely the juncture in his life at which, for the purposes of striking narrative, his biography ends. That part of his career, the most signalized by enduring monuments of his intellectual power, and the most adorned by the winning graces of his daily actions, is precisely that in which it is hardest to find glaring incidents, that stand forth boldly on the page, and rivet the reader's mind."*

* It is said that Mr. Marshall had actually recommended another person to

Of course Mr. Marshall's judicial office removed him entirely from the arena of party politics. It did not prevent him, however, from taking a deep interest in the welfare of his native State, or, on two occasions at least, from an active part in the furtherance of her internal polity. He was a member of a convention which sat in Charlottesville, in 1828, for the purpose of devising a proper system of internal improvements for the State. He also represented the city of Richmond,—where his residence was,—in the convention which met in that city in October 1829, to revise and amend the State Constitution. In that convention, amongst many other notables, sat James Madison, James Monroe, John Marshall, and John Randolph of Roanoke, as members. It is difficult to believe that any State; whether one, like Virginia, a member of a

the president for the office of Chief Justice—his own modesty preventing him from even dreaming of the preferment for himself. His surprise on receiving it must therefore have been as great as the young barrister's, in the amusing incident thus related by Lord Campbell. "A barrister, the height of whose ambition was to be a commissioner of bankrupts—an office then worth not more than £100 a year—asked the Duke of Gloucester to apply for it to Lord Chancellor Thurlow; and the following dialogue took place between them:

"*D. of G.*—'I am very desirous to obtain for a friend of mine, at the bar, an office in your lordship's court, but unfortunately I have forgotten the name of it.'

"*Thurlow.*—'There is a Mastership in Chancery now vacant;' [worth £3,000 or £4,000 a year] 'perhaps that is what your royal highness means.'

"*D. of G.*—'I think, my Lord, that must be the very thing.'

"*Thurlow.*—'Sir, I cannot refuse any application from your royal highness, which it is in my power to comply with, and your friend shall be appointed.' Appointed he was, and held the office very creditably many years."

Federal Union, or one absolutely sovereign and independent, ever witnessed a gathering of her own sons, superior in average *personnel* to the membership of that remarkable body: and *if*, (in Macaulay's phrase, of Athens), her freedom and her power have now been annihilated; *if* her people have degenerated into timid slaves; *if* her temples have been given up to the spoiler's successive and successful depredations; yet her intellectual empire and her unrivalled past are imperishable—her influence and her glory still survive,—fresh in eternal youth, exempt from mutability and decay, immortal as the intellectual principle from which they derived their origin, and over which they exercise their control.

Of that convention, the *Southern Literary Messenger* of 1836 thus speaks, in handsome and entertaining style: "Here was exhibited a spectacle, one of the most affecting in our day, of three men—Madison, Monroe and Marshall,—who having assisted in establishing the liberties and creating the government of their country, and having filled her highest stations, were now consulting with a later generation, upon the means of rendering that government purer, more durable, and more productive of happiness. . . . During the three months of the session, Judge Marshall repeatedly engaged in debate; displaying still that power of reasoning, with that bland courtesy of manner which had always distinguished him. His

voice was now become extremely feeble, so that those who sat far off could not hear him: no sooner therefore did he rise, than the members would press towards him, and strain with outstretched necks, and eager ears, to catch his words. The basis of representation, and the structure of the judiciary, were the subjects upon which he chiefly spoke. The difficulties of adjusting the former so as to satisfy both the east and the west—the irritated feelings which began to appear on both sides—and the imminent dread which the patriot felt, of a division of the State—will not soon be forgotten. It was when a *compromise* of the difference was proposed, that the chief justice displayed his greatest power. Towards the close of a speech, which was at the time regarded as an unrivalled specimen of lucid and conclusive reasoning, he said, he ‘hailed that auspicious appearance, with all the joy with which an inhabitant of the polar regions hails the re-appearance of the sun, after his long absence of six tedious months.’ ”*

*The rapture of this ardent lover of the *State*, and of the *Union*, in their respective orbits; would doubtless have been greatly cooled, could his eye have run across the intervening years of strife and outrage, and witnessed the overthrow and dismemberment of his native commonwealth, by outside foes whose ancestors had been nourished and blessed with her unbounded generosity; and the subsequent transfer to the “west,”—by the same fell power,—of the two fair counties of Jefferson and Berkeley, which belonged to the “east.” This infamy has been thus nailed to the wall of perpetual record, between the lids of her Code, by a Virginian, whose indignant reproaches can be readily pardoned by Virginians. “Thus the counties of Berkeley and Jefferson were annexed to

It was of a position maintained by him in this speech, and which, an opposing orator said, had been *overthrown* by Mr. — of Augusta, that John Randolph declared, "The argument of the chief justice is unshaken, and unanswerable. It is as strong as the fortress of Gibraltar. Sir, the fortress of Gibraltar would be as much injured by *battering it with a pocket pistol*, as that argument has been affected by the abortive and puny assault of the gentleman from Augusta." The great Roanoke orator's esteem and admiration for the chief justice (although, on federal politics, they widely differed,) amounted almost to idolatry. An amicable contest between them one day, on the floor of the convention, furnished him an occasion for paying to the latter a tribute as beautiful, as it was simple and just. The chief justice, thinking that some remark of his had been understood by Mr. Randolph as personally unkind, arose with earnestness to assure him that it was not so intended. Mr. R. as earnestly strove to quiet Judge M.'s uneasiness, by assuring him that he had not understood the re-

West Virginia, and are now incorporated within her boundaries and under her jurisdiction. And this was the conclusion of events, by which was consummated, under the flimsy gauze of law and legal proceedings, a shameless violation of fundamental laws, State and Federal—a contempt of right, equity, decency and honor, against the dictates of justice, propriety and truth—and a noble old commonwealth, that deserved high consideration for her uniform generosity and unequalled patriotism in the better days of the republic, was, by such means, unblushingly despoiled."

marks as offensive. In their eagerness, the one to apologize, and the other to show that no apology was necessary, they interrupted each other two or three times: at length, Mr. R. effectually silenced his friend, by saying, "I know the goodness of his heart too well to have supposed it possible that he could have intended to give me pain. Sir, I believe that like 'my uncle Toby,' *he would not even hurt a fly.*"

The limits of a sketch like this would preclude (even if this writer could have the temerity to undertake,) a review of the brilliant career of Mr. Marshall as chief judicial officer of this great country. Such a review as even a competent pen could give, in such short compass, would not be attractive to the legal, still less to the general reader. Indeed, the meagreness of data, which seems to have thus far prevented any attempt at a biography of the chief justice, makes it doubtful whether justice can ever be done, in this behalf, to his unassuming greatness. Like the histories of biblical characters, his record must perhaps be confined to an almost sententious epitome; and like theirs, perhaps, it will shine with only brighter and more enduring lustre, by reason of its very conciseness. In him "all the qualities that can constitute a good man, or can adorn a wise one, were eminently united. No man ever arrived to his high dignity with such universal approbation, nor conducted himself in

it with such universal applause; no man was ever more the delight of his country, or had a larger share of the hearts and affections of the people; and yet he never made use of any other method to please than a constant course of wisdom and virtue. He had the peculiar felicity to join together those contrary qualities so rare to be met with in the same person, the mildest disposition with the greatest firmness of mind; and at the same time that he had a heart susceptible of the strongest impressions of tenderness and compassion, he maintained inviolably the strictest justice and most inflexible integrity. He had a mind so enlightened, that no falsehood could ever elude his sight, but, with inimitable sagacity, he would pursue her through all the intricate labyrinths which she took to escape him. His judgment was so clear, that he could at one view discover the most entangled points; and yet he had patience and temper to hear everything that could be said on the most plain and obvious. He always chose to make truth appear in native simplicity, though he could have adorned it with all the graces of rhetoric. He was, in all characters and relations of life, one of the ablest, greatest, uprightest men that any age or nation has produced, and was not only an honor to his country, but an ornament to human nature.”* In him was,

* *Gentleman's Magazine* February 1737. Obituary of Lord Talbot.

—"the flowing tongue of Greece,
Joined to the virtues and the force of Rome."

His fame, as a consummate judge in law and equity, is one of the precious and imperishable jewels of the Virginia of the past,—prized and cherished even by citizens of other states which have contributed to her grievous ruin. "She that was great among the nations, and princess among the provinces, remembers in the days of her affliction her pleasant things that she had in the days of old;" and the ashes of her Washington, her Marshall, her Lee, and her Jackson, will sleep as peacefully beneath her dishonored soil as if the ruin had not come.

Perhaps the most celebrated case, as far as the general public is concerned, which was tried by Chief Justice Marshall, was that of Colonel Aaron Burr for treason, in 1807, in the city of Richmond. An extract from an opinion delivered by the chief justice in that case, cannot fail to be interesting to the general reader, especially on so general a subject as the qualifications of jurors. "The chief justice then delivered the following opinion:*

"The great value of the trial by jury, certainly consists, in its fairness and impartiality. Those who most prize the institution, prize it because it furnishes a tribunal, which may be expected to be uninfluenced, by any undue bias of the mind.

* Burr's Trial, Vol. I., p. 414.

“I have always conceived, and still conceive, an impartial jury as required by the common law, and as secured by the constitution, must be composed of men, who will fairly hear the testimony which may be offered to them, and bring in their verdict, according to that testimony, and according to the law arising on it. This is not to be expected, certainly the law does not expect it, where the jurors, before they hear the testimony, have deliberately formed and delivered an opinion, that the person whom they are to try, is guilty or innocent of the charge alleged against him. The jury should enter upon the trial, with minds open to those impressions, which the testimony and the law of the case ought to make, not with those preconceived opinions, which will resist those impressions. All the provisions of the law are calculated to obtain this end. Why is it that the most distant relative of the party cannot serve upon his jury? Certainly the single circumstance of relationship, taken in itself, unconnected with its consequences, would furnish no objection. The real reason of the rule is, that the law suspects the relative of partiality; suspects his mind to be under a bias, which will prevent his fairly hearing and fairly deciding on the testimony which may be offered to him. The end to be obtained is an impartial jury; to secure this end, a man is prohibited from serving on it, whose connexion with a party, is such as to induce a suspicion of partiality.

The relationship may be remote; the person may never have seen the party; he may declare that he feels no prejudice in the case, and yet the law cautiously incapacitates him from serving on the jury, because it suspects prejudice; because, in general, persons in a similar situation, would feel prejudice.

“It would be strange if the law were chargeable with the inconsistency of thus carefully protecting the end from being defeated by particular means, and leaving it to be defeated by other means. It would be strange if the law would be so solicitous to secure a fair trial, as to exclude a distant unknown relative from the jury, and yet be totally regardless of those in whose minds feelings existed, much more unfavourable to an impartial decision of the case.

“It is admitted, that where there are strong personal prejudices, the person entertaining them is incapacitated as a juror; but it is denied that fixed opinions respecting his guilt, constitute a similar incapacity.

“Why do personal prejudices constitute a just cause of challenge? Solely because the individual who is under their influence, is presumed to have a bias on his mind, which will prevent an impartial decision of the case, according to the testimony. He may declare that notwithstanding these prejudices, he is determined to listen to the evidence, and be governed by it; but the law will not trust him.

“Is there less reason to suspect him who has prejudged the case, and has deliberately formed and delivered an opinion upon it? Such a person may believe that he will be regulated by testimony, but the law suspects him, and certainly not without reason. He will listen with more favour to that testimony which confirms, than to that which would change his opinion: it is not to be expected that he will weigh evidence or argument as fairly as a man whose judgment is not made up in the case.

“It is for this reason that a juror who has once rendered a verdict in a case, or who has been sworn on a jury which has been divided, cannot again be sworn in the same case. He is not suspected of personal prejudices, but he has formed and delivered an opinion, and is therefore deemed unfit to be a juror in the cause.

“Were it possible to obtain a jury without any prepossessions whatever, respecting the guilt or innocence of the accused, it would be extremely desirable to obtain such a jury; but this is perhaps impossible, and therefore will not be required. The opinion which has been avowed by the court, is, that light impressions which may fairly be supposed to yield to the testimony that may be offered; which may leave the mind open to a fair consideration of that testimony, constitute no sufficient objection to a juror; but that those strong and deep impressions, which

will close the mind against the testimony that may be offered in opposition to them; which will combat that testimony and resist its force, do constitute a sufficient objection to him. Those who try the impartiality of a juror, ought to test him by this rule. They ought to hear the statement made by himself or given by others, and conscientiously determine, according to their best judgment, whether in general, men under such circumstances, ought to be considered as capable of hearing fairly, and of deciding impartially, on the testimony which may be offered to them; or as possessing minds in a situation to struggle against the conviction which that testimony might be calculated to produce. The court has considered those who have deliberately formed and delivered an opinion on the guilt of the prisoner, as not being in a state of mind fairly to weigh the testimony, and therefore as being disqualified to serve as jurors in the case.

“This much has been said relative to the opinion delivered yesterday, because the argument of to-day appears to arraign that opinion, and because it seems closely connected with the point which is now to be decided.

“The question now to be decided, is, whether an opinion formed and delivered, not upon the full case, but upon an essential part of it, not that the prisoner is absolutely guilty of the whole crime charged in the indictment, but that he is guilty in some of those

great points, which constitute it, do also disqualify a man in the sense of the law and of the constitution from being an impartial juror? This question was adjourned yesterday for argument, and for further consideration.

“It would seem to the court, that to say that any man who had formed an opinion on any fact conducive to a final decision of the case, would therefore be considered as disqualified from serving on the jury, would exclude intelligent and observing men, whose minds were really in a situation to decide upon the whole case according to the testimony, and would perhaps be applying the letter of the rule requiring an impartial jury, with a strictness which is not necessary for the preservation of the rule itself. But if the opinion formed, be on a point so essential as to go far towards a decision of the whole case, and to have a real influence on the verdict to be rendered, the distinction between a person who has formed such an opinion, and one who has in his mind decided the whole case, appears too slight to furnish the court with solid ground for distinguishing between them. The question must always depend, on the strength and nature of the opinion which has been formed.

“In the case now under consideration, the court would perhaps not consider it as a sufficient objection to a juror, that he did believe, and had said, that the prisoner at a time considerably anterior to the fact

charged in the indictment, entertained treasonable designs against the United States. He may have formed this opinion and be undecided on the question, whether those designs were abandoned or prosecuted up to the time when the indictment charges the overt act to have been committed. On this point, his mind may be open to the testimony, and although it would be desirable that no juror should have formed and delivered such an opinion, yet the court is inclined to think, it would not constitute sufficient cause of challenge. But if the juror have made up and declared the opinion, that to the time when the fact laid in the indictment is said to have been committed, the prisoner was prosecuting the treasonable design with which he is charged, the court considers the opinion as furnishing just cause of challenge, and cannot view the juror who has formed and delivered it as impartial, in the legal and constitutional sense of that term.

"The cases put by way of illustration, appear to the court, to be strongly applicable to that under consideration. They are those of burglary, of homicide, and of passing counterfeit money, knowing it to be counterfeit; cases in which the intention and the fact combine to constitute the crime.

"If, in case of homicide, where the fact of killing was admitted or was doubtful, a juror should have made up and delivered the opinion, that, though unin-

formed, relative to the fact of killing, he was confident as to the malice; he was confident that the prisoner had deliberately formed the intention of murdering the deceased, and was prosecuting that intention up to the time of his death; or if on the charge of passing counterfeit bank notes, knowing them to be counterfeit, the juror had declared, that though uncertain as to the fact of passing the notes, he was confident that the prisoner knew them to be counterfeit, few would think such a person sufficiently impartial to try the cause according to testimony. The court considers these cases as strikingly analogous. . . . In reflecting on this subject, which I have done very seriously since the adjournment of yesterday, my mind has been forcibly impressed by contemplating the question precisely in its reverse. If, instead of a panel composed of gentlemen who had almost unanimously formed and publicly delivered an opinion, that the prisoner was guilty, the marshal had returned one composed of persons, who had openly and publicly maintained his innocence; who had insisted, that notwithstanding all the testimony in possession of the public, they had no doubt that his designs were perfectly innocent; who had been engaged in repeated, open, and animated altercation to prove him innocent, and that his objects were entirely opposite to those with which he was charged; would such men be proper and impartial jurors? I cannot believe they

would be thought so. I am confident I should not think them so. I cannot declare a juror to be impartial, who has advanced opinions against the prisoner, which would be cause of challenge, if advanced in his favour.

"The opinion of the court is, that to have made up and delivered the opinion, that the prisoner entertained the treasonable designs with which he is charged, and that he retained those designs, and was prosecuting them when the act charged in the indictment is alleged to have been committed, is good cause of challenge."

The attentive reader of this opinion cannot fail to be struck with its style of close and searching reasoning, and to be entertained by the chief justice's ingenious mode (in the conclusion of the extract given) of turning the question round, and viewing it from the standpoint of its reverse side; but, to the student of the science of government, its most salient point is the devotion it displays to that inestimable legacy, enjoyed by the Anglo-Saxon race, of trial by jury. But a few years before the chief justice spoke, Lord Camden's ringing words in the House of Lords, and the co-operation of Fox and Erskine elsewhere, had achieved a noble victory touching this great question, in connection with the law of libel. "I ask," said the incomparable Pratt, in that memorable discussion,—
"I ask your lordships to say, who shall have the care

of the liberty of the press? the judges, or the people of England? *The jury are the people of England!* The judges are independent men? Be it so: but are they totally beyond the possibility of corruption from the crown? Is it impossible to show them favour in any way whatever? The truth is, they possibly may be corrupted—juries never can!”

In our day, when we have seen (in proof of the general rule) that juries, and legislatures, and even the people of a state, may occasionally be corrupted, under the hell-born, heaven-sent curse of universal suffrage; even thoughtful and pure men amongst us, are beginning to question the truth and permanence of the fundamental principles which underlie all stable government, and are casting about for new methods of progress and establishment. Evidences of this declension are found, in the more frequent dispensing with juries in civil cases, in the reduced standard of jurors, and in the numerical reduction of the panel. Changes like these, prompted by convenience or economy, and acquiesced in because apparently unimportant, may yet prove, when too late to arrest them, the unsuspected percolating drops that undermine the bulwark,—“the little foxes that spoil the vines.”

It will not be amiss, and may do good, at this stage of our state's history, to remind the members of the ancient craft in Virginia, of the mysterious tie of brotherhood which links their destinies to the memory

and virtues of the illustrious chief justice, and others of his kind: and this could not be better done than by the following choice period from the annual address, to the Centennial Grand Lodge of 1878; delivered by that noble gentleman and genuine Virginian, Hon. Beverley Randolph Wellford, then Grand Master of Masons in the State. "In view of the past history of our good old mother, we have full right to make merry and be glad over our inheritance. We have indeed a glorious past, and woe betide that man, if any there be among us, who would not cherish and perpetuate its memory. One hundred years ago, in the month of October, 1778, the representatives of four lodges assembled in the city of Williamsburg to inaugurate the Grand Lodge of Virginia. The spontaneous choice of the craft for the office of Grand Master was none other than George Washington; but the imperious necessities of the war required his continued absence in the field, and the desire of the brethren could not be gratified. The choice then fell upon John Blair, one of the first appointed judges of the United States Supreme Court. During the remaining score of years of the century, he was succeeded in the Grand East by James Mercer, a judge of the court of appeals of Virginia; Edmund Randolph, Governor of Virginia, and Attorney-General and Secretary of State of the United States during the administration of General Washington; John Mar-

shall, the world-renowned chief justice of the United States; and Robert Brooke, Governor of Virginia.

"These were the fathers of Virginia Masonry, and the elder brothers of all the children of the Grand Lodge of Virginia. Have we not a right to gather around her with filial pride and count the jewels which sparkle in her diadem?"

Of the religious character of Judge Marshall, a good deal of interesting matter has been written. The following extracts, bearing on this point, are highly interesting. From the *Winchester Republican*:

"It is not long since a gentleman was travelling in one of the counties of Virginia, and about the close of the day stopped at a public house to obtain refreshment, and spend the night. He had been there but a short time, before an old man alighted from his gig, with the apparent intention of becoming his fellow-guest at the same house. As the old man drove up, he observed that both the shafts of his gig were broken, and that they were held together by withes formed from the bark of a hickory sapling. Our traveller observed further, that he was plainly clad, that his knee-buckles were loosened, and that something like negligence pervaded his dress. Conceiving him to be one of the honest yeomanry of our land, the courtesies of strangers passed between them, and they entered the tavern. It was about the same time

that an addition of three or four young gentlemen was made to their number—most, if not all of them, of the legal profession. As soon as they became conveniently accommodated, the conversation was turned by the latter upon an eloquent harangue which had that day been displayed at the bar. It was replied by the other, that he had witnessed, the same day, a degree of eloquence no doubt equal, but that it was from the pulpit. Something like a sarcastic rejoinder was made as to the eloquence of the pulpit; and a warm and able altercation ensued, in which the merits of the Christian religion became the subject of discussion. From six o'clock until eleven, the young champions wielded the sword of argument, adducing with ingenuity and ability, everything that could be said *pro* and *con*. During this protracted period, the old gentleman listened with all the meekness and modesty of a child. . . . Our traveller remained a spectator, and took no part in what was said. At last one of the young men, remarking that it was impossible to combat with long and established prejudices, wheeled around, and with some familiarity exclaimed, 'Well, my old gentleman, what think you of these things?' If, said the traveller, a streak of vivid lightning had at that moment crossed the room, their amazement could not have been greater than it was with what followed. The most eloquent and unanswerable appeal was made for nearly an hour, by the

old gentleman, that he ever heard or read. So perfect was his recollection, that every argument urged against the Christian religion was met in the order in which it was advanced. Hume's sophistry on the subject of miracles was, if possible, more perfectly answered than it had already been done by Campbell; and in the whole lecture there was so much simplicity and energy, pathos and sublimity, that not another word was uttered. An attempt to describe it, said the traveller, would be an attempt to paint the sunbeams.

"It was now a matter of curiosity and inquiry who the old gentleman was. The traveller concluded it was the preacher from whom the pulpit eloquence was heard—but no—it was the chief justice of the United States."

Says Bishop Meade:—"Judge Marshall had no hope of the revival of the church in Virginia, though contributing liberally to the efforts made for it. He lived to see himself mistaken, and to unite with his children and grandchildren in the services of our resuscitated church in the very place of his nativity and amid the scenes of his early life. In my frequent visits to Coolspring and Oakhill, I often met with him, as I had done at my father's house, and other places in Frederick, in more boyish days. Though not a communicant, he was the sincere friend to religion and the Episcopal church. I can never forget

how he would prostrate his tall form before the rude low benches without backs, at Coolspring meeting house, in the midst of his children and grandchildren and his old neighbors. In Richmond he always set an example, to the gentlemen, of the same conformity, though many of them did not follow it." Bishop Meade then gives an extract from a letter of Rev. Dr. Norwood, which, the bishop says, and all Virginians know, "may be entirely relied on":—"I have read some remarks of yours in regard to Chief Justice Marshall, which have suggested to me to communicate to you the following facts, which may be useful should you again publish anything in relation to his religious opinions. I often visited Mrs. General Harvey during her last illness. From her I received this statement. She was much with her father during the last months of his life, and told me that the reason why he never communed was, that he was a Unitarian in opinion, though he never joined their society. He told her that he believed in the truth of the Christian revelation, but not in the divinity of Christ; therefore he could not commune in the Episcopal church. But during the last months of his life he read *Keith on Prophecy*, where our Saviour's divinity is incidentally treated, and was convinced by his work, and the fuller investigation to which it led, of the supreme divinity of the Saviour. He determined to apply for admission to the communion of our

church,—objected to commune in private, because he thought it his duty to make a public confession of the Saviour,—and, while waiting for improved health to enable him to go to the church for that purpose, he grew worse and died, without communing. Mrs. Harvey was a lady of the strictest probity, the most humble piety, and of a clear discriminating mind; and her statement, the substance of which I give you accurately, (having reduced it to writing) may be entirely relied on.

“I remember to have heard Bishop Moore repeatedly express his surprise (when speaking of Judge Marshall) that, though he was so punctual in his attendance at church, and reproved Mr. ———, and Mr. ———, and Mr. ———, when they were absent, and knelt during the prayers and responded fervently, yet he never communed. The reason was that which he gave to his daughter, Mrs. Harvey. She said he died an humble, penitent believer in Christ, according to the orthodox creed of the church.

“Another fact, illustrating the lasting influence of maternal instruction, was mentioned by Mrs. Harvey. Her father told her that he never went to bed without concluding his prayer with those which his mother taught him when a child,—viz: the Lord’s Prayer, and the prayer beginning ‘Now I lay me down to sleep.’”

But what could be more touching than the unconscious testimony of the chief justice himself, to his

own exalted character, as shown in the affecting tribute to his wife, written by himself, December 25th, 1832?—"This day of joy and festivity to the whole Christian world is, to my sad heart, the anniversary of the keenest affliction which humanity can sustain. While all around is gladness, my mind dwells on the silent tomb, and cherishes the remembrance of the beloved object which it contains.

"On the 25th of December, 1831, it was the will of heaven to take to itself the companion who had sweetened the choicest part of my life, had rendered toil a pleasure, had partaken of all my feelings, and was enthroned in the inmost recesses of my heart. Never can I cease to feel the loss and deplore it. Grief for her is too sacred ever to be profaned on this day, which shall be, during my existence, marked by a recollection of her virtues.

"On the 3d of January, 1783, I was united by the holiest bonds to the woman I adored. From the moment of our union to that of our separation, I never ceased to thank heaven for this its best gift. Not a moment passed in which I did not consider her as a blessing from which the chief happiness of my life was derived. This never-dying sentiment, originating in love, was cherished by a long and close observation of as amiable and estimable qualities as ever adorned the female bosom. To a person which in youth was very attractive, to manners uncommonly


pleasing, she added a fine understanding, and the sweetest temper which can accompany a just and modest sense of what was due to herself. She was educated with a profound reverence for religion, which she preserved to her last moments. This sentiment, among her earliest and deepest impressions, gave a colouring to her whole life. Hers was the religion taught by the Saviour of man. She was a firm believer in the faith inculcated by the church (Episcopal) in which she was bred. I have lost her, and with her have lost the solace of my life! Yet she remains still the companion of my retired hours, still occupies my inmost bosom."

Chief Justice Marshall died in the city of Philadelphia, on the 6th day of July, 1835; and lies buried in the old Shockoe grave-yard at Richmond. The modest epitaph (with blanks filled) directed by himself to be inscribed upon the plain slab which shelters his grave, is as follows:

"John Marshall, son of Thomas and Mary Marshall, was born on the 24th of September, 1755; intermarried with Mary Willis Ambler the 3d of January, 1783; departed this life the —— day of ——, 18——;" to which simple story, this grateful generation might well add, (from the epitaph of the "Father of English Equity"),—

"In whom all the virtues that make a great and good man
Were very conspicuous, *without the blemish of any vice.*"

A cotemporary wrote of the chief justice:—"His mind is not very richly stored with knowledge; but it is so creative, so well organized by nature, or disciplined by early education, and constant habits of systematic thinking, that he embraces every subject with the clearness and facility of one prepared by previous study to comprehend and explain it. So perfect is his analysis, that he extracts the whole matter, the kernel of inquiry, unbroken, clean, and entire. In this process, such are the instinctive neatness and precision of his mind, that no superfluous thought, or even word, ever presents itself, and still he says everything that seems appropriate to the subject. This perfect exemption from needless incumbrance of matter or ornament, is in some degree the effect of an aversion to the labor of thinking. So great a mind, perhaps, like large bodies in the physical world, is with difficulty set in motion. That this is the case with Mr. Marshall's, is manifest, from his mode of entering on an argument, both in conversation and in public debate. It is difficult to rouse his faculties: he begins with reluctance, hesitation, and vacancy of eye: presently, his articulation becomes less broken, his eye more fixed, until, finally, his voice is full, clear, and rapid, his manner bold, and his whole face lighted up, with the mingled fires of genius and passion: and he pours forth the unbroken stream of eloquence, in a current deep, majestic, smooth and strong. He re-



minds one of some great bird, which flounders and flounces on the earth for a while, before it acquires the *impetus* to sustain its soaring flight."

The British Spy thus writes of Mr. Marshall:—

"His countenance has a faithful expression of great good humor and hilarity; while his black eyes—that unerring index—possess an irradiating spirit, which proclaims the imperial powers of the mind that sits enthroned within. This extraordinary man, without the aid of fancy, without the advantages of person, voice, attitude, gesture, or any of the ornaments of an orator, deserves to be considered as one of the most eloquent men in the world; if eloquence may be said to consist in the power of seizing the attention with irresistible force, and never permitting it to elude the grasp, until the hearer has received the conviction which the speaker intends.

If fancy holds a seat in his mind at all, which I very much doubt, his gigantick genius tramples with disdain, on all her flower-decked plats and blooming parterres. How then, you will ask, with a look of incredulous curiosity, how is it possible, that such a man can hold the attention of an audience chained, through a speech of even ordinary length? I will tell you.

"He possesses one original, and, almost, supernatural faculty: the faculty of developing a subject by a

single glance of his mind, and detecting at once, the very point on which every controversy depends. No matter, what the question: though ten times more knotty than "the gnarled oak," the lightning of heaven is not more rapid nor more resistless, than his astonishing penetration. Nor does the exercise of it seem to cost him an effort. On the contrary, it is as easy as vision. I am persuaded that his eyes do not fly over a landscape and take in its various objects with more promptitude and facility, than his mind embraces and analyses the most complex subject.

"Possessing while at the bar this intellectual elevation, which enabled him to look down and comprehend the whole ground at once, he determined immediately and without difficulty, on which side the question might be most advantageously approached and assailed. In a bad cause, his art consisted in laying his premises so remotely from the point directly in debate, or else in terms so general and so specious, that the hearer, seeing no consequence which could be drawn from them, was just as willing to admit them as not; but, his premises once admitted, the demonstration, however distant, followed as certainly, as cogently, as inevitably, as any demonstration in Euclid. All his eloquence consists in the apparently deep self-conviction, and emphatick earnestness of his manner; the correspondent simplicity and energy of his style; the close and logical connexion of his thoughts; and

the easy gradations by which he opens his lights on the attentive minds of his hearers. The audience are never permitted to pause for a moment. There is no stopping to weave garlands of flowers, to hang in festoons around a favourite argument. On the contrary, every sentence is progressive; every idea sheds new light on the subject; the listener is kept perpetually in that sweetly pleasurable vibration with which the mind of man always receives new truths; the dawn advances in easy but unremitting pace; the subject opens gradually on the view; until, rising, in high relief, in all its native colours and proportions, the argument is consummated, by the conviction of the delighted hearer. His success renders it doubtful whether a high fancy be of real use or advantage. Although the most beautiful flights of the happiest fancy, interspersed through an argument, may give an audience the momentary delightful swell of admiration, the transient thrill of divinest rapture; yet, they produce no lasting effect in forwarding the purpose of the speaker; on the contrary, they break the unity and disperse the force of an argument, which, otherwise, advancing in close array, like the phalanx of Sparta, carries everything before it."

The following choice extracts are taken from the chaste and beautiful oration of the late Edgar Snow-

den, Esq., of Alexandria, on the life and character of John Marshall; delivered August 12th, 1835.*

“In the fullness of time, after the lapse of many years, in the unerring, certain, and regular course of nature, the venerable John Marshall went down to the tomb. The sear and yellow leaf of life was not shaken rudely by the winter’s blast, but fell gently to the earth. He had lived to fight the battles of his country’s independence—to see that independence gained—to assist in adopting a free constitution and republican institutions—to take part in carrying them into practical operation—to fill some of the highest offices known to the laws—to be elevated to the chief judicial station—to secure in the discharge of the duties of that station, not merely the hearty approbation, but the undisguised esteem and love of his country—to meet a friend in every face he saw—to know that his virtues and character of themselves gave him a moral power far beyond that which titles or office could bestow—to have length of days, with that blessing rarely allowed to the aged, the *mens sana in sano corpore*—and to die, at last, in calmness, peace, and Christian hope and resignation.

* * * * *

* For access to this rare pamphlet, I am indebted to the kindness and courtesy of Hubert Snowden, Esq., of Alexandria, a son of the author of the oration. It is to be regretted that a new edition of it has not been published.

"The study and contemplation of such a character as is displayed in the life of Marshall, must be interesting to every well regulated mind. If the painter delights to adorn the canvas with the most beautiful creations of his art—if the sculptor dwells fondly upon the marble which he has wrought till it almost swells into life, and motion, and loveliness—so does the patriot fondly cherish the remembrance of the actions that benefitted, the intellect that elevated, the virtue that blessed, his country. . . . In every aspect in which we view the life and actions of John Marshall, we cannot fail to be struck with that rare combination of virtues, qualities, and endowments, which united in his person, and seemed 'to set their seal upon him, to give the world assurance of a *man*.' In whatever situation of life he was placed, he displayed the same requisites for complete success. In youth, in manhood, and in old age, he never attempted anything which he did not carry out with vigor of design, a determination of purpose, an elasticity of spirit, and an energy of mind, which could not fail to accomplish what he undertook. As a patriot-soldier he was ardent, brave, generous, and persevering; as a citizen he was plain, public-spirited, kind, and affable; as a professional man, learned, acute, and honest; as a judge, 'without fear and without reproach.' And between these great divisions into which his life may be classed, and in which his

character stood out in such bold relief, the shades and gradations were preserved in beauty and harmony, so as to form an almost perfect whole. The simple elegance of his mind, especially when contrasted with the splendid intellects with which it may be brought into comparison, may also claim our attention. It was a Doric column of strength, proportion, and chastened grace. Though it wanted ornate richness and polished materials, it made up for these deficiencies in solidity without heaviness, and magnificence without vain show. There were no cumbrous additions and unmeaning decorations about its firm foundation—its polished shaft—its plain but beautiful capital. It stood, in its simple but expressive grandeur, challenging admiration."

"It must have been," continues Mr. Snowden, "under a consideration of the powers and duties and uses of the supreme court especially,"—as manifested with Judge Marshall as its president,—"that a learned and distinguished writer* referred to the judiciary department 'as worth all others in the State.'" "Whilst," said he, "politicians expend their zeal on transient interests, which perhaps derive their chief importance from their connexion with a party, it is the province of the judge to apply these solemn and universal laws of rectitude on which the security and prosperity

* Dr. Channing.

of the individual and the State essentially depend. From his tribunal, as from a sacred oracle, go forth the responses of justice. There is nothing in public affairs so venerable, as the voice of justice speaking through her delegated ministers,—reaching and subduing the high as well as the low,—setting a defence around the splendid mansion of wealth, and the lowly hut of poverty;—repressing wrong, vindicating innocence, humbling the oppressor, and publishing the rights of human nature to every human creature. We turn with pain and humiliation from the halls of legislation, where we see the legislator forgetting the majesty of his function; and it comforts us to turn to the court of justice where the dispenser of the law, shutting his ears against all solicitations of friendship or interest,—dissolving, for a time, every private tie,—forgetting public opinion,—asks only what is RIGHT!” Just such elements made up the *model judge* that Virginia gave to the union and the world. “With all the virtues of a Hale, and all the talents of a Mansfield, he was mercifully just and inexorably honest. He so moved in his exalted sphere, as to leave nothing for his successors, but the honorable emulation of a fame acquired by a course so bright, so regular, and so beneficial in all its results and influences.

“But the ‘good’ of Marshall is not ‘interred with his bones.’ It lives after him, and will live after him in all time to come. The incense of virtue which he

burned upon his country's altar, will continue to rise to heaven, and diffuse itself throughout the land for all following generations. When our children shall read the story of his life, they will find it one which, in its purity and beauty, cannot be surpassed by the history of any other man. And who can calculate the extent of the influence of such a character upon the hearts and minds of his people, and upon the future destinies of his country, in regulating the dispositions of those who aspire and those who are called to the high places of the nation? Who can say that it will not pervade the moral atmosphere, so as to correct many of those evil tendencies we now see constantly developing? We want such men to rise up in our midst, and shed around the chastened light of their influence. The glare of military fame, and the glittering trappings of power, dazzle but too often to delude those who gaze at them with admiration; but upon the mellow radiance of John Marshall's virtues we can look with unclouded eyes, and can dwell with unmingled satisfaction. The virtuous, honorable, peaceful career of one such man, is worth more of solid advantage and happiness, and is productive of more true glory than the victorious march of twenty conquering warriors moving in desolation and slaughter. In that retired chamber of the capitol, once dignified by *his* presence, he reaped a richer harvest of renown than Bonaparte gathered on the

plains of Austerlitz, or Wellington from the field of Waterloo.

"Another American writer* says: In the mixed and voluminous state of our jurisprudence, every portion of which came under his review, and in the novelties of our political state, often did it happen that questions were brought before him where the path was untrodden, where neither the book-case nor the record existed to guide, and where the elementary writers glimmered dimly. It was upon such occasions that he pierced what was dark, examined what was remote, separated what was entangled, and drew down analogies from first principles. Upon these occasions, and upon all others, his reported adjudications will best make known to the world, the penetration of his views, the extent of his knowledge, and the solidity of his judgment. They are a national treasure. They will be a stream of light to after times. Posterity will read in them as well the rule of conduct as the monuments of a genius that would have done honor to any age or nation."

When Talbot died, the grateful author of *THE SEASONS* thus unconsciously summed up with golden pen, the virtues of *our MARSHALL*:—

. . . . "All his parts,
His virtues all, collected, sought the good
Of human kind. For *that* he, fervent, felt

* Richard Rush.

The Virginia Peerage.

The throb of patriots when they model states:
 Anxious for *that*, nor needful sleep could hold
 His still-awakened soul: nor friends had charms
 To steal with pleasing guile one useful hour;
 Toil knew no languor, no attraction joy." . . .

"How the heart listened while he, pleading spoke!
 While on th' enlightened mind with winning art,
 His gentle reason to persuasion stole,
 That the charmed hearer thought it was his own." . . .

"But when in Senates, he, to freedom firm,
 Enlighten'd freedom, plann'd salubrious laws,
 His various learning, his wide knowledge, then
 Spontaneous seem'd from simple sense to flow." . . .

"Placed on the seat of justice, there he reign'd,
 In a superior sphere of cloudless day,
 A pure intelligence. No tumult there,
 No dark emotions, no intemperate heat,
 No passion e'er disturb'd the clear serene
 That round him spread.
 Till at the last, evolv'd, it full appear'd,
 And e'en the loser own'd the just decree."

JOHN RANDOLPH.

1

1

1

JOHN RANDOLPH OF ROANOKE.

On the 2d day of June, 1773, at "Cawsons," the family seat of his maternal grandfather—Colonel Theodorick Bland, Sr.—in Prince George county, Virginia, near the mouth of the Appomattox river, was born John Randolph of Roanoke; one of the most gifted of the great men Virginia has produced. His mother was Frances Bland Randolph, who, three years after the death of her first husband, (the father of John of Roanoke,) intermarried with St. George Tucker of Bermuda, the eminent jurist. The father of John of Roanoke, was John Randolph, fourth son of Richard Randolph, of "Curles." The said Richard Randolph of "Curles" married Jane Bolling, who was the granddaughter of Jane Rolfe, who was the granddaughter of Pocahontas; so that John Randolph of Roanoke was the lineal descendant of that extraordinary Indian princess, in the seventh generation.

"Mattoax," the residence of his father, was situated on the Appomattox river, near the city of Petersburg;

and it was here that the little John passed his early childhood, both before the death of his father, in 1775, and afterwards, until the flight of his mother and family, in 1781, before the devastating march of the traitor Benedict Arnold, and his army. An asylum being found by the fugitives, at "Bizarre," a large and valuable estate more in the interior, and higher up the Appomattox; John Randolph's home was here, until, at the age of about nine years, he was sent, with his brothers, to the school of Mr. Walker Maury, in Orange county, Virginia. The fact has been cited by his biographer, as a remarkable coincidence, that his birthplace,—*"Cawsons;"* the home of his early childhood,—*"Mattoax;"* and his next home,—*"Bizarre,"*—where he also spent many years of his early manhood, were all, in succession, destroyed by fire. Whether or not the seeming pursuit of him by the destroying element, was symbolic, or anyway contributive to the impatient fiery temper, which ever dwelt in his bosom; yet, he himself seemed to feel through life, and often remarked, that he was "under a curse."

Morbidly sensitive by nature, crossed in love, the victim of disease which racked his delicate frame, and shattered his highly strung nerves; and endowed with an intellect which chafed at the clogs and restraints of his mortality, it cannot be denied, even by the most partial, that in denunciation of persons and

things distasteful to him, his sarcasm was withering, and his bitterness rolled forth like lava-streams from his fluent tongue,—scathing and blasting all that it encountered. And yet none possessed warmer friends, or friendships, than he; and towards the few whom his impetuous soul loved, his trust and affection went out like a woman's. Even his enemies recognized and admired his exalted patriotism, and his passionate, clinging devotion to his native state: and the impartial student of his life and character, cannot fail to discover, that his shafts were directed, not so much against his own, as against those whom he regarded as *her* foes. And if he was indeed a misanthrope, that which he hated was not *man*, but rather the inordinate meanness which his penetrating eye detected in mankind.

From the school in Orange county, the Randolph boys went to a grammar school at Williamsburg, which their former teacher, Mr. Walker Maury, had established there as an appendage to William and Mary College. Of the many boys who were his schoolmates, John Randolph seems to have formed an attachment to but one,—a noble one indeed,—his classmate, Littleton Waller Tazewell. The friendship between these two was ardent and mutual, and continued without interruption or abatement to the day of Randolph's death, which occurred many years before that of his friend Tazewell.

In personal appearance, when a boy, Randolph was extremely beautiful, and delicate to effeminacy.—These characteristics, whilst they attracted ladies to him, yet but added to the repulsion he met with among his school-fellows, from his haughty and imperious bearing towards them. His reserve was excessive, and perhaps the predominant element of his character, not only in youth, but always, was his detestation of familiarity on the part of those he did not know, or did not like.

Although he acquired knowledge readily, and possessed a memory singularly tenacious; yet his studies, both at school and at college, were so much interrupted by ill health, and other causes, that he does not appear to have regarded himself as a man of culture, albeit an alumnus of Princeton, and of Columbia College, New York: for he used to say that “he acquired all his knowledge from his library at Roanoke, and by intercourse with the world.”

He was untiring with his pen, wrote many letters, and was in the habit throughout his whole life, of writing down those things which he wished to remember. This writer has been told, by an estimable gentleman of Lynchburg, that Mr. Randolph once said to him, when, as a boy, he visited him;—“People wonder at the extent of my recollection, but the explanation of it is, that when I wish to remember a thing, *I make a note of it.*”

But that which charmed him most was poetry; and from its unfathomable wells his high-wrought melancholic spirit drank in a phrenzied inspiration, which doubtless helped to make him the anomaly that he was. Though scarcely a verse of rhyme, perhaps, appears as his production; yet, in the outbursts of his surpassing eloquence, in after years, his very soul seemed to revel in a superhuman poesy,—“to skim the earth, to soar above the clouds, to bathe in the Elysian dew of the rainbow, and to inhale the balmy smells of nard and cassia, which the musky winds of the zephyr scatter through the cedared alleys of the Hesperides.”

The secret of his wonderful proficiency in the field of oratory, is found, from his own explanation, to have rested mainly in his devotion to the wishes of his mother. “My mother,” said he, “once expressed a wish to me, that I might one day or other be as great a speaker as Jerman Baker or Edmund Randolph! That gave the bent to my disposition. At Princeton College, where I spent a few months, the prize of elocution was borne away by mouthers and ranters. I never would speak if I could possibly avoid it, and when I could not, repeated, without gesture, the shortest piece that I had committed to memory. I remember some verses from Pope, and the first anonymous letter from Newberg, made up the sum and substance of my spoutings, and I can

yet repeat much of the first epistle (to Lord Chatham) of the former, and a good deal of the latter. I was then as conscious of my superiority over my competitors in delivery and elocution, as I am now, that they are sunk in oblivion; and I despised the award and the umpires in the bottom of my heart. I believe that there is nowhere such foul play as among professors and schoolmasters; more especially if they are priests. I have had a contempt for college honors ever since."

The above excerpt also brings out, in strong colors, another trait of his character, which was conspicuous throughout his life; that is to say, the indulgence of his antipathies and prejudices, without even pausing to consider the consequences to himself personally. A pride like this, however reprehensible in the excesses to which it leads, yet never fails to elicit something akin to admiration among men of the world; and Randolph—himself a man of the world—nourished and fed and fostered this trait in himself, like a darling sin. Indeed it seems to have held him in a species of bondage; for whilst the warp and woof of his singular nature oftentimes exhibited lines of delicate sensibility, and even tenderness, where his prejudices slept; yet in his intercourse with his fellow-men, with rare exceptions, he appeared to be a bundle of inconsistencies, and to possess a heart of stone. When his anger or contempt was aroused, his spleen

seemed but to borrow bitterness from the politeness of manner which not infrequently accompanied its outburst:—as, for example, when, to the young dandy admiring himself in the mirror in the country inn, Mr. Randolph slightly raising himself from the lounge on which he was reclining, politely said, “Can you tell me, sir, whether the stage has arrived?” and, to the rude and abrupt reply of the youth, rejoined, “I beg your pardon sir, I thought you were the driver.”

But it would be unjust to Mr. Randolph, in considering him as a man of the world, to suppose that he was devoid of religious, or even of Christian principles and feelings. On the contrary, although he once declared himself a fatalist, when smarting under the heart's bitterness engendered by recollections of the loss of his mother; yet there can be no question that his mind, during his whole adult life, was deeply interested on the subject of orthodox religion. The effects of the early training of a pious, devoted, and idolized mother, never left him; and never ceased, in his thoughtful moods, to impress him, even at that stage of his life, when, under the influence of the French school of thought, he, in common with so many of the brightest minds of the world, was under a cloud. His friendships, too, would seem to indicate for him the Bible test, of *loving the brethren*: for among his most loved and loving friends, were Bishop Meade;—the great and noble Christian divine, Dr.

Moses Hoge, president of Hampden-Sidney College; and the pure and talented Francis S. Key, of Washington.

Moreover, Mr. Randolph was a close and careful student of the Bible, not only for the sake of its unequalled literary merits, but as an earnest searcher after truth and God. His letters to his friends, on the subject of religion, are sufficiently convincing that he was at heart a Christian man, because such sentiments as he expresses could proceed from none other than a Christian or a hypocrite; and no one who knows aught of John Randolph of Roanoke, ever dreamed of imputing to him even the minutest degree of hypocrisy. It is probable that no human weakness was farther removed from him, or more cordially hated by him, than this. To his intimate friend, Dr. John Brockenbrough of Virginia, he writes, from Buckingham court-house, in 1815:—"I got here to-day. To-morrow we are to begin our inquisition. [A contested election.] This business does not suit me at all. My thoughts are running in a far different channel. I never feel so free from uneasiness as when I am reading the Testament, or hearing some able preacher. This great concern presses me by day and by night, almost to the engrossing of my thoughts. It is first in my mind when I wake, and the last when I go to sleep. I think it becomes daily more clear to me. All other things

are as nothing when put in comparison with it. You have had a great comfort in the presence of Mr. Meade. I, too, am not without some consolation; for I have received a letter from Frank Key, that I would not exchange for the largest bundle of bank notes that you ever signed."

About the same time, in letters to Mr. Key, he says: "Indeed I must tell you what gives me great uneasiness; that, instead of being stimulated to the discharge of my duties, I am daily becoming more indifferent to them, and, consequently, more negligent. I see many whose minds are apparently little occupied on the subject that employs me, with whom I think I should be glad to exchange conditions; for surely, when they discharge conscientiously their part in life, without the same high motive that I feel, how culpable am I, being negligent! For a long time the thoughts that now occupy me, came and went out of my mind. Sometimes they were banished by business; at others, by pleasure. But heavy afflictions fell upon me. They came more frequently and staid longer—pressing upon me, until, at last, I never went asleep nor awoke but they were last and first in my recollection. Oftentimes have they awakened me, until, at length, I cannot, if I would, detach myself from them. Mixing in the business of the world I find highly injurious to me. I cannot repress the feeling which the conduct of our fellow-men too often excites; yet I hate

nobody, and I have endeavored to forgive all who have done me an injury, as I have asked forgiveness of those whom I may have wronged, in thought or deed. If I could have my way, I would retire to some retreat, far from the strife of the world, and pass the remnant of my days in meditation and prayer; and yet this would be a life of ignoble security. But, my good friend, I am not qualified (as yet, at least,) to bear the heat of the battle. I seek for rest—for peace. I have read much of the New Testament lately. Some of the texts are full of consolation; others inspire dread. . . . My good friend, you will bear with this egotism; for I seek from you instruction on a subject, in comparison with which all others sink into insignificance. I have had a strong desire to go to the Lord's Supper; but I was deterred by a sense of my unworthiness; and, only yesterday, reading the denunciation against those who received unworthily, I thought it would never be in my power to present myself at the altar. I was present when Mr. Hogue invited to the table, and I would have given all I was worth to have been able to approach it. There is no minister of our church in these parts. I therefore go to the Presbyterians, who are the most learned and regular; but having been born in the Church of England, I do not mean to renounce it. On the contrary, I feel a comfort in repeating the Liturgy, that I would not be deprived of for worlds.

. When I am with Mr. Hogue I am at ease. He makes everything plain to me. But when I hear others I am disturbed. Indeed, my doubts and misgivings do not desert me always in his presence. I wish I could see you, and converse with you. To you I have no scruple in writing in this style; but to any other I feel repugnant to communicate. I fear that I mistake a sense of my sins for true repentance, and that I sometimes presume on the mercy of God. Again, it appears incredible that one so contrite as I sometimes know myself to be, should be rejected entirely by infinite mercy."

To Bishop Meade, when rector of old Christ Church, Alexandria, he writes:

"Give me your prayers. I have a most earnest desire for a more perfect faith than I fear I possess. What shall I do to be saved? Lord be merciful to me a sinner! While I reflect on the corruptions of my nature, I tremble whilst I adore. The merits of an all atoning Saviour I hardly dare plead. Help Lord, or I perish.

Your afflicted friend,

JOHN RANDOLPH OF ROANOKE."

It is a pleasing thing, indeed, to find the sequel to these letters, in their writer's conversion three years afterwards; which he thus refers to in a letter to Mr. Key:—"Congratulate me, dear Frank—wish me joy

you need not; give it you cannot—I am at last reconciled to my God, and have assurance of his pardon, through faith in Christ, against which the very gates of hell cannot prevail. Fear hath been driven out by perfect love. I *now know* that *you know* how I feel; and within a month, for the first time, I understand your feelings and character, and that of every *real* Christian.”

Mr. Bouldin, in his highly interesting work, “Home Reminiscences of John Randolph,” relates several incidents, occurring about this period of his life, and clearly indicating a change in Mr. Randolph, which, whilst not perhaps altogether up to the full measure of the Christian standard, (and whose life is?); yet bears testimony of a mighty work going on in the breast of this stormy man.

Having conceived a dislike towards one of his former stewards, upon mere suspicion, and becoming satisfied that he had done the man injustice, he determined to apologize to him in the presence of witnesses. Accordingly he called together three or four neighbors of high standing, and the following colloquy took place:

“‘I have invited you here to-day Mr. G.,’ said Mr. Randolph, ‘to make to you publicly, in the presence of these gentlemen, all the reparation in my power for the great injury I have done you.’

"Mr. G. seemed greatly startled. He assured Mr. Randolph that there was no occasion for explanation; that he had always treated him very well.

"‘Sir,’ replied Mr. Randolph, ‘you are greatly mistaken. For more than a year past, I have endeavored to show by my bearing towards you, my disgust with you and my contempt for your character. But I am undeceived.’"

He then proceeded to relate to the astonished Mr. G. his suspicions of him, and how those suspicions had been dissipated.

There are few men who would not have deemed a private interview sufficient reparation in such a case, though in candor it must be added that Mr. Randolph intended the collected neighbors to witness, on the same occasion, the exposure of the man who was the real culprit, but who had taken pains to keep out of the way. The real culprit, however, upon whose head he had transferred all his accumulated aversion, was soon afterwards taken ill. Upon hearing of it, Mr. Randolph went to see him, spoke gently and kindly to him, and did him more than one substantial favor.

A stranger, from another State, who was visiting in the neighborhood, called to see Mr. Randolph upon a matter of business concerning the purchase of some land. In the course of the conversation, "Mr. Randolph said to him, that he must decline going into the

matter of the land; but that there was one subject which his conscience required him to bring to his mind.

“‘Sir,’ said Mr. Randolph, ‘there is a subject of vastly more importance than *land*—the salvation of your soul. It is strongly impressed upon me that you are a great sinner. It is too probable that you have already committed the unpardonable sin; but possibly this may not be the case.’ And he urged upon him the importance of attending to this great matter.”

In reply, the visitor offered Mr. Randolph a personal insult of the most unpardonable coarseness and indecency.

“‘Sir,’ said Mr. Randolph, assuming the loftiest attitude, ‘if you had used this language to me at any other period of my life, you would have been instantly a dead man. Nothing restrains me from taking your unprofitable life but the fear of God, and the grace that is here,’ (laying his hand upon his heart). ‘Go, sir; leave me, lest I be tempted to sin.’”

He did the man no harm, except that, on the following day, he literally *ran him out of the county and the State!*

Should Mr. Randolph’s *unseasonable* introduction of the subject of religion to this stranger, in a business interview, suggest the suspicion, in the minds of any, that he may have been, at the time, under the in-

fluence of liquor or opiates; does not the restraint he exerted over himself in spite of the (suspected) unnatural excitement, argue all the stronger in his favor? If his *good* impulses were *all* the result of intoxication, (as some have been disposed to argue); may not *some* of the evil ones have resulted from the same cause? And, although, in criminal cases, drunkenness should perhaps be treated as an *aggravation* rather than an *excuse* for crime; yet in Mr. Randolph's case it should be remembered that opiates and stimulants may have been resorted to only to relieve his tortured frame.

The author of "Home Reminiscences" also says: "Mr. Randolph was a good master to his servants, as a general rule. Though he occasionally flew into violent fits of rage against them, he was for the most part very kind to them. He always provided well for their physical, and was not inattentive to their spiritual wants. His negroes lived in fear of him, but they were bound to respect him. There was something so lofty in the bearing of their master, so brilliant and comprehensive in his genius, that, to their humble minds, he appeared almost a god. His servants were the best and politest in the county. One of his male servants could have been invariably recognized by his taking off his hat when he met a white man in the road; and a female servant would always make a courtesy. Mr. Randolph himself

never failed to speak to his field hands, and he knew the names of all of them. His manner was to take off his hat when he addressed his overseers. In his intercourse with his neighbors, to whom he took a fancy, he was punctual in performing all the offices of neighborly kindness.

"The following circumstance will show that he knew how to confer a great favor, and in the most becoming manner; unlike some, who cancel in a measure the obligation by the unhappy style of conferring it.

"One of Mr. Randolph's young friends once went from home leaving his crop in a very bad condition. It was in great danger of being eaten up by the grass. To his great surprise and relief, when he came home he found a large number of plows and horses sweeping over his corn fields at the grandest rate. He did not know what to make of it. Having asked nobody for help, he was totally at a loss to discover to whom he was indebted for such an unusual act of kindness. They were the hands of Mr. Randolph. The overseer was told by him to watch the farming operations of his young friend, and whenever he found that he needed assistance, to render it without his asking."

Mr. Randolph never married, and after his engagement to Miss Ward (afterwards Mrs. Peyton Randolph) terminated, he appears to have sought the

society of ladies but little, if at all. His courtesy to ladies, however, was remarkable; or, rather, it may be more properly said, he was a Virginia gentleman of the old school in their presence. In an inverse ratio, however, which was but natural, his contempt was quickly aroused, and his wrath kindled, by anything unladylike in the conduct of a woman. His standard of ladyhood was very high, being that of his own excellent mother. His kindness and gentleness towards little children, have also been illustrated by his biographers in several pleasing anecdotes; nor is the record wanting in evidences that he possessed in a very high degree, that exquisite charm of sympathy and tenderness towards deserving young men, by the exercise of which, great men can so win their esteem and affection. These things demonstrate that "there was a soft place in Mr. Randolph's heart." No man who did not possess attractive virtues could have it said for him, as he did, by his neighbors and county-men, that "they could not recollect the time when the idea of John Randolph did not occupy a large space in their minds; that his high position, his transcendent genius, his fascinating manners and imposing presence all conspired to render him in their views as prominent and necessary an object in our human world as the sun in the solar system."

Those who are disposed to give the many augularities of John Randolph's character, a prominence which

would obscure all that was good in him, should remember how sensitive was the nature and how weak the frame, which God had given him; also, how much there was to wound his morbid spirit, in the harsh, unfeeling world where he acted so conspicuous a part. Moreover, it should not be forgotten, "that he was descended from a race which never forgot or forgave an injury;" a race, too, which "has accepted extermination rather than submission." Nor can it be denied, either, that he* "possessed many of the austere and nobler traits of the Indian character; and the blood of the Prince, who roamed and ruled over the sloping forests of Eastern Virginia, flowing through his veins, doubtless imparted to his nature many of those imperious and passionate qualities that contributed at once to his genius and his misfortune. Absolute, perverse, revengeful, generous, brave, kind, but proud and defiant, daring everything rather than give sign of submission, no nature possessed more contradictions, or more stoutly rebelled against a peaceful conformity to the moral and social conditions which surrounded and cramped it. Few persons can understand the stormy conflicts which convulse minds filled with these dark and jarring elements of discord.

"What's done we partly may compute,
But never what's resisted."

The rebellious instinct is inherent in the race; the

* "*The Age*," of Louisville, Ky., March 1st, 1879.

stoicism and gloom, the madness of mind rending itself, engaged in a perpetual strife, yet struggling to conceal the 'war within,' the revolting soul combating the world and itself, are the results of alien currents of blood condemned to meet and mingle in the same 'quick bosom.' The influence of long-forgotten ancestors upon the conduct of their children, not only 'unto the third and fourth generations,' but unto the tenth and twentieth generations also, cannot well be estimated. Yet it is potent, and pursues the descendant as an avenging fate or a ministering angel. M. Gautier somewhere explains, by the same process, how an Arab may be born in Paris, or a Greek in Auvergne. It is the mysterious voice of blood, he says, which, though silent for generations, or utters only a confused murmur, speaks at rare intervals a more intelligible language. In the general confusion, the hurly-burly of the caldron of life, where so many foreign elements are mingled by the 'weird sisters' of destiny; we are beckoned hither, lured by prophetic impulses, and led by mysterious influences which we feel, but cannot trace, and must follow. Kinship simply claims its own, and some remote ancestor asserts his dormant title. This may account for the restless energy of those wandering souls who are impelled to leave the luxuries of home and companionship of friends for the wilderness of the West, the wastes of the sea, or the deserts of the East.

They go in search of sympathetic brotherhood, and at the call of a long silent voice. They are the birds that would take their flight with the seasons; and, if held in bondage, will beat their breasts and beaks against 'the wiry dome,' tingeing their plumage with the blood that impels their flight."

"Mr. Randolph possessed the eloquence as well as the spirit of his dusky ancestors, and he used it with the same efficacy as that with which Powhatan had used his tomahawk and his scalping-knife. He could not brook restraint. The close and noisome atmosphere of the representative chamber, in the capitol, stifled him. He longed for the pure air and the bright sun. His dwelling was not a colonial mansion, as is vulgarly supposed: it more nearly resembled a wigwam. It was a log building, with two rooms only on the first floor, and two rooms in the half-story above. It was embedded in the virgin forest. The trees still remained whose branches had shaded the half naked forms of his remote kindred, and had furnished the arrows with which they killed their game, and destroyed their enemies. It is not strange that voices from those vanished forms, came to him through their rustling leaves and sighing boughs."

But it was the public, and not the private life of John Randolph of Roanoke, that brought out his genius, and displayed to an astonished world those

elements of greatness, which, in spite of the obliquities of his character, and the venom of his traducers, have placed him, in the estimation of unprejudiced minds, in the front rank of the statesmen of his country. He seems, indeed, to have reversed Mark Antony's formulary of Cæsar's fate; for, whilst whatever of evil that he did in his meteoric life, was "interred with his bones," and is rapidly fading from the memories of men; yet the dangers and disasters of after years, which have already cast their shadows across his native state, amply vindicate the prophetic genuineness of the warnings he gave, in his pipe-like accents; and which, many of his cotemporaries derided as the idle fancies of a distempered imagination. Not only did his *appalling finger* point out in scornful diatribe the meannesses of men and measures, in the halls of legislation and on the hustings; but, to the lovers of the Virginia he *adored*, that finger is now the index to those shoals and quicksands which will destroy her, unless his warnings shall be heeded.

It was a strange fortune that destined Randolph to rise from obscurity to fame, in a public discussion with one of the men from whom he had drawn his earliest political inspirations,—the great and gifted Patrick Henry. It cannot be denied, that a vast change had taken place in the politics of Mr. Henry, after the organization of the federal government under the Constitution;—a change which some have

attributed to the influence of General Washington, for whom he always entertained the deepest reverence. It may be, though, that the giant strides which he saw the young republic making, towards power and consequence among the nations of the earth, dazzled his mind, and presented to him the illusory hope that the fears of *home aggression* he had so ably and eloquently expressed in the Virginia Convention of 1788, were groundless; or perhaps, like the Judean king, he thought,—“Is it not good if peace and truth be in my days?” Whatever may have been the cause, yet the famous discussion at March term 1799, of Charlotte court, found him pitted not only against his former principles, but against his former political pupil—the stripling, Randolph—then but twenty-six years of age.*

The expectation that Patrick Henry would address the people, before whom he stood as candidate for the state legislature, was sufficient to swell to an immense concourse, the large crowd which “court-day” never failed to bring out, in old Virginia, even in ordinary times. That passion for political excitement and stirring discussion, which has always distinguished the people of Virginia, was aroused to the

* Attention has been called, in the sketch of Patrick Henry, to the fact that Demosthenes, Cicero, and Henry, each developed his wondrous powers at the age of twenty-seven. It is quite remarkable that Randolph was within a few months of that age at the time of this, his maiden effort.

highest pitch; and the adjacent counties contributed some of the most intelligent of their population, on the important occasion.

Randolph had offered himself as a candidate for Congress, upon the strictest anti-federal platform. The great question which agitated the State, was the solemn declaration of her legislature, that the Alien and Sedition laws of the United States were unconstitutional, and void. The object of the federal party was to obtain a reversal of that decision; and Mr. Henry had been cajoled or badgered, in his old age, into the leadership of the movement. It may well be imagined, that the spectacle of "little Jack Randolph" standing forth to answer the veteran statesman, on a great issue like this, excited not only the astonishment of the crowd, but also a derision, which painfully augmented the embarrassment his situation naturally produced. It was his "maiden effort" too, for in a letter to his niece, Mrs. Bryan, he afterwards wrote, "My first attempt at public speaking, was in opposition to Patrick Henry at Charlotte March Court, 1799."

Little did the people of Charlotte anticipate the developments of that day: little did they imagine that it was their lot (in Mr. Garland's words), "to behold the bright golden sunset of the great luminary whose meridian power melted away the chains of British despotism, and withered up the cankered heart

of disaffected Toryism; then, turning with tearful eyes from the last rays of the sinking orb, to hail, dawning on the same horizon, another sun, just springing, as it were, from the night of chaos, mounting majestically into his destined sphere, and driving clouds and darkness before his youthful beams." "Cherish him!" said Mr. Henry himself, at the conclusion of his speech, "he is a young man of promise." It is a great misfortune that no authentic record is extant, of Randolph's telling speech on this occasion, and that it is the tradition of its *effect* only, that can guide our estimate of it. Beginning then his remarkable career as a public man, he served his people through the space of nearly a generation, term after term in the house of representatives, and also as United States senator. In, what he supposed was, his farewell address on retiring from public life, he said:—"Twenty-eight years ago you took me by the hand when a beardless boy, and led me into Congress hall. The clerk asked me if I was of lawful age; I told him to ask you. You said you had a faithful representative; I said, *no man ever had such constituents*. You have supported me through evil report and through good report. I have served you to the best of my ability, but fear I have been an unprofitable servant; and if justice were meted out to me, should be beaten with *many stripes*. People of Charlotte! which of you is without sin? but I know I shall


get a verdict of acquittal from my earthly tribunal; I see it in your countenances. But it is time for me to retire, and prepare to stand before another, a higher tribunal, where a verdict of acquittal will be of infinitely more importance than one from an earthly tribunal. Here is the trust you placed in my hands twenty-eight years ago,—“*take it back! take it back!*”—accompanying his concluding words with a gesture, which indicated the transferring of a great burden from himself, back to his constituents.

The one absorbing and central idea, around which revolved the whole of Mr. Randolph's politics, was “State Rights,” and first of all, the rights of his own state, Virginia. No voice of flattery, no threat, no fear, no favor, could divert him for one moment from his position on this question. It was this that alienated him politically from General Jackson (whom he greatly admired and respected), at the time of the Presidential proclamation in connection with the South Carolina “nullification” excitement, in December 1832; and, indeed, his jealousy of federal encroachment upon the reserved rights of the states, made him more or less inimical to every federal executive of his day and generation. “When I speak of my country,” wrote he, in 1818, “I mean the commonwealth of Virginia. I was born in allegiance to George III.; the bishop of London was my diocesan. My ancestors threw off the oppressive yoke of the mother

country, but they never made me subject to *New England* in matters spiritual or temporal; neither do I mean to become so, voluntarily." In 1799, in his famous contest with Patrick Henry, he is reported to have said:—"If this federal government, in all its departments, then, is to be the sole judge of its own usurpations, neither the people, nor the states, in a short time, will have anything to contend for; this creature of their making will become their sovereign, and the only result of the labors of our revolutionary heroes, in which patriotic band this venerable gentleman [Patrick Henry] was most conspicuous, will have been a change of masters—New England for Old England—for which change I cannot find it in my heart to thank them."

Mr. Baldwin, in "Party Leaders," admirably sets forth Mr. Randolph's politics, in the contrast he draws between him and Mr. Clay.

"Clay thought the general government a vast and mighty agency, which, made vital by the will of a free and energetic people, could accomplish, by its affirmative action, signal blessings to his country and the world. He desired to build up a mighty nation, whose power should be felt and acknowledged throughout the world. The American system was, through a national bank, to afford a national currency, and to facilitate the transactions of commerce; internal improvements were to be the ties of a close commercial



union and personal correspondence between the different sections, and to bind the states together with bands of iron; the tariff was to make us independent of foreign nations for the munitions of war and the comforts of life, and to build up vast storehouses of wealth for the country; the navigation laws were to foster an independent marine; the Panama mission to place us at the head of the continent, controlling and drawing its trade, and governing its policy; the public lands were to give the states the means of improving their communications and educating their people; and a navy and army were to protect our commerce on the ocean, and command the respect of foreign powers. He boasted that he was an *American Citizen*, and was proud of the title, knowing no north, no south, no east, no west.

“Randolph, on the other hand, claimed to be a Virginian, owing his primary and only allegiance to that venerable commonwealth; acknowledging the federal government but as a limited agency, which she, with others, had established, for a few simple purposes. His doctrine was that that government should be watched with jealousy; that it had an inherent proclivity to enlarge powers, originally too strong; which enlargement would lead to the greatest possible evil, *consolidation*.”

In one of his speeches to his constituents, Randolph said, “I was at Federal hall; I saw Washing-

ton, but could not hear him take the oath to support the Federal Constitution. The Constitution was in its chrysalis state. I saw what Washington did not see; but two other men in Virginia saw it—George Mason and Patrick Henry—the *poison under its wings.*”

Men are always wiser in the sequel, than in the fact; and, as Lord Macaulay somewhere says, “a nurse of this century is as wise as a justice of the quorum and cust-alorum in Shallow’s time;” but to us who have seen the fulfillment of the Roanoke sage’s prophesies, would it not appear that his far-reaching genius looked across the intervening space of years, and, with an almost god-like attribute, saw “the end from the beginning?”

It was a curious co-incidence, that Mr. Randolph’s last political speech should have been made upon the same question, and on the exact spot, that first brought out before his people the display of his gigantic powers. On the 4th of February 1833, some four months before his death, he addressed his old constituents in the court-house of Charlotte county, on the subject of “State Rights.” The crisis then impending, grew out of the action of South Carolina, on the *nullification laws*, and the proclamation of President Andrew Jackson in that connection. The yeomanry of “old Charlotte” were on the horns of a sad dilemma between their fealty to their *party* and

their *president*, in this momentous issue. Not so Mr. Randolph. Unwavering in his devotion to his life-long principles, he arose from his bed, dragged his wasted frame to the accustomed spot; and, supported by the arms of friends to the judge's bench in the old court-house, engaged—sometimes sitting, and sometimes standing—in perhaps the hardest and longest political battle of his life. Commenting upon this speech, Mr. Baldwin says:—"His political life terminated where it began, in a contest for State Rights. It began by lifting his lance against Patrick Henry, and ended by turning its point against Andrew Jackson."

It has been objected to Mr. Randolph, as a statesman, that his public services were negative, and not positive;—that he originated nothing, and perfected nothing, for the good of his country;—but rather devoted himself to an obstructive policy, and was ever engaged in "trying to pull down other men's work." He said of himself, indeed, in one of his speeches to the people of Charlotte:—"My whole aim has been to prevent, not to promote legislation;" and he regarded this as the "brightest feather in his cap."

Even if it should be admitted, that no great political measures can be regarded as distinctively his work; yet this would not establish the fact of his incapacity as an originator, but would merely indicate an adherence to a given line of policy as a public ser-

vant. His personal pride and haughty independence of character, doubtless made him indifferent as to what the world in general thought of himself; and his devotion to his State checked his ambition, if he had any, in the direction of federal politics.* Perhaps, too, a farther explanation of the policy he steadily pursued throughout his whole career as a

* Extract from one of Mr. Randolph's speeches in Congress:—

"I do not pretend that my own motives do not partake of their full share of the infirmity of our common nature—but, of those infirmities, neither avarice nor ambition form one iota in the composition of my present motives. Sir, what can the country do for me? Poor as I am—for I am much poorer than I have been—impoverished by unwise legislation—I still have nearly as much as I know how to use—more certainly than I have at all times made a good use of—and as for power, what charm can it have for one like me? If power had been my object, I must have been less sagacious than my worst enemies have represented me to be (unless, indeed, those who would have kindly shut me up in bedlam), if I had not obtained it. I may appeal to all my friends to say whether there have not been times when I stood in such favor in the closet that there must have been something very extravagant and unreasonable in my wishes if they might not *all* have been gratified. Was it office? What, sir, to drudge in your laboratories in the departments, or to be at the tail of the *corps diplomatique* in Europe? Alas! sir, in my condition a cup of cold water would be more acceptable. What can the country give me that I do not possess in the confidence of such constituents as no man ever had before? I can retire to my old patrimonial trees, where I may see the sun rise and set in peace. Sir, as I was returning the other evening from the capitol, I saw—what has been a rare sight here this winter—the sun dipping his broad disc among the trees behind those Virginia hills, not allaying his glowing axle in the steep Atlantic stream; and I asked myself if, with this book of nature unrolled before me, I was not the most foolish of men to be struggling and scuffling here in this heated and impure atmosphere, where the play is not worth the candle? But then the truth rushed upon my mind that I was, vainly perhaps, but honestly, striving to uphold the liberties of the people who sent me here!"

legislator, is to be found in his partiality for that which was old and settled and established; and his hatred of innovation. A prominent feature of his political creed was, "No man having drunk old wine, straightway desireth new, for he saith, the old is better." He regarded himself as set for the defence of original state autonomy, against the overshadowing power of an aspiring central government. He recollected Mr. Henry's ringing words in the Virginia Convention;—"this government will operate like an ambuscade; it will destroy the state governments and swallow the liberties of the people without giving them previous notice";—and, with unsleeping vigilance and suspicious eye, he watched for danger in every federal act which even remotely threatened to overstep the express powers delegated in the Constitution. Hence his unwavering opposition to the national bank, the tariff, internal improvement by the general government, and all kindred measures. "Whenever he spoke, whatever he wrote, wherever he went, States Rights, States Rights, was the exhaustless theme of his discourse."

But it was as an orator that Mr. Randolph equalled, and perhaps excelled, all his cotemporaries, and all his countrymen. Indeed, it is doubtful if his superior in this God-given power, has ever lived. Statesmen are produced by the education and cultivation of natural powers, and by experience in affairs of govern-

ment; but orators, like poets, are born, not made. As in music, in painting, in sculpture, in poetry; so in oratory, there is an undefined and indefinable gift of power over mind and matter, possessed by a favored few,—a latent heat as it were;—a torch kindled we know not where or how;—a something that exerts a subtle influence over the very springs of our nature,—an influence that can be *felt*, but not described or comprehended. With such a genius was Mr. Randolph pre-eminently endowed, and in this was the hiding of his power. Those who felt and witnessed its marvellous effects testify, that his written speeches convey to the reader but the faintest idea of the electric impulse which stirred the multitudes, when under the dominion of his mellifluous voice and graceful mien, in the brilliant flights of his fancy. As a skilled musician he swept a master's hand across the chords of human hearts, and awoke thrills in throbbing bosoms which deprived his auditors, for the time, of all individual volition. Under such a spell must he have held the people, when, at the conclusion of his speech, Dr. Hoge—himself a gifted orator—is reported as exclaiming, "I never heard the like before, and I never expect to hear the like again!"

Mr. Randolph's personal courage was tested often; and, more than once, *by fire*. It could not be supposed that one who criticised unsparingly, and often harshly, as he did, could fail to have his bravery frequently called


into requisition; for he lived in a day when personal honor stood higher than personal safety, in the estimation of gentlemen. In early life, when at college, he fought a duel with Mr. Robert B. Taylor, of Norfolk, a fellow-student. In this, as in all other instances, he was the challenged party. At the second fire he severely wounded his antagonist; and then, as in his subsequent duel with Mr. Clay, a reconciliation took place which was never afterwards broken. He possessed that higher moral courage, too,—lacking in so many brave men—which enabled him unhesitatingly to decline a challenge, where that course was indicated to him as his duty. When acting as foreman of the grand jury which indicted Aaron Burr, a remark of his, in his official capacity as jurymen, offended General James Wilkinson, a witness in the case. A challenge was the result; but Mr. Randolph coolly declined to fight, upon the ground that he was not thus accountable for his acts and words as a public functionary, and upon the farther ground that he believed General Wilkinson to have been *particeps criminis* with Burr.

It was while senator from Virginia, in 1826, and during the administration of John Quincy Adams, that Mr. Randolph fought his famous duel with Henry Clay. The violent denunciations he heaped upon Mr. Clay in the United States senate, which called forth the challenge, were not the sudden outburst of

heated passions, but perhaps rather the culmination of a distrust and dislike of very long standing. "Mr. Clay," said Mr. Randolph, "took his seat in the house of representatives in December, 1811; his first stride was from the door to the chair, where he commenced to play the dictator: he fixed his eyes on the presidency, and I, who had been twelve years in Congress, *fixed mine upon him, and have kept them there ever since.* Sylla said that he saw many a Marius in Cæsar. So I, who had heard Mr. Clay for the first time in the senate the year before, on the renewal of the charter of the Bank of the United States, was persuaded that he would not keep the faith."

At the time of the passage of the "Missouri Compromise" in 1821, the dislike, which had for many years existed between these two distinguished sons of Virginia, widened into a breach which made them bitter enemies until the reconciliation after their duel in 1826.

The provocation which led to this encounter, can, in fairness, scarcely be regarded otherwise than a blot upon Mr. Randolph's reputation as a public man; for whilst there was much to justify a good deal of acrimony in his criticism of Mr. Clay as a politician, and of what Mr. Randolph at least conceived was Mr. Clay's political tergiversation; yet the circumstances did not justify, and nothing could justify, a representative of the people, in going out of his way to make



a personal attack, and hurl personal insults, as he did, not only against his adversary, but even against the mother who bore him. "Language," says Mr. Sparks, commenting upon Randolph's abuse of Clay on this occasion, "could not have been more offensive. But the fruitful imagination of Mr. Randolph was not exhausted, and he proceeded with denunciation, which spared not the venerable mother of Mr. Clay, then living—denouncing her for bringing into the world 'this being so brilliant, yet so corrupt, which, like a rotten mackerel by moonlight, shined and stunk.'"

There can be no doubt that Mr. Randolph regretted the extremes into which he suffered himself to be carried, in that discussion. Such regret is shown by his acceptance of the challenge notwithstanding his senatorial privilege,—his determination from the first to do no injury to Mr. Clay, on the field,—and, still more, by the cordial manner in which he himself proffered reconciliation, after receiving Mr. Clay's fire, and discharging his own weapon in the air. Being an excellent shot with a pistol—one of the best in Virginia, as he once remarked—he undoubtedly had Mr. Clay's life at his mercy, and deliberately spared it. He afterwards said to Mr. Benton:—"I would not have seen him fall mortally, or even doubtfully, wounded, for all the land that is watered by the king of floods, and all his tributary streams."

The last interview between Mr. Randolph and Mr.

Clay, took place in the senate chamber at Washington, but a short while before Mr. Randolph's death, and when he was really in a dying condition. The parting scene is thus described by Mr. Garland.

"Next day he went into the senate chamber, and took his seat in rear of Mr. Clay. That gentleman happened at the time to be on his feet, addressing the senate. 'Raise me up,' said Mr. Randolph, 'I want to hear that voice again.' When Mr. Clay had concluded his remarks, which were very few, he turned round to see from what quarter that singular voice proceeded. Seeing Mr. Randolph, and that he was in a dying condition, he left his place and went to speak to him; as he approached, Mr. Randolph said to the gentleman with him, 'Raise me up.' As Mr. Clay offered his hand, he said, 'Mr. Randolph, I hope you are better, sir.' 'No, sir,' replied Randolph, 'I am a dying man, and I came here expressly to have this interview with you.' They grasped hands and parted, never to meet more."

It has been a vulgar supposition that Mr. Randolph was a *wit*; and the witticisms, commonly attributed to him, have been scattered, like autumn leaves, over the continent. "All the bastard wit of the country," he once remarked, "has been fathered on me,"—which remark, itself, indicates to some extent, the difference between the *flashes of his mind*, and

wit in its common acceptation. There appears to be nothing extant, showing that he had the least appreciation of wit, in the sense of *humor*, or even in the sense of *serious wit* properly so-called. The keen and pungent sallies of his genius rather appear to be a unique and original element of a unique and original man; and he might not improperly be deemed, himself *the founder of a peculiar school of satire*. He was never known to fail or even falter in retort, but like the unerring weapon of his dusky ancestors, his shaft went straight to its mark, and its barb, unswerved by the toughest hide, rankled in the very vitals of his victim. The piercing tones of his voice, and his expression and gesture, also lent venom to the missile; and it has been remarked as a singular fact, by one of his biographers, that no one ever attempts to reproduce a saying of Mr. Randolph, without a futile effort to *give a conception of his accompanying voice and manner*. His illustrations too were so original and striking, that it is said his hearers scarcely ever forgot them, or the points they were meant to fix in their minds. For example;—in describing, in one of his speeches, the distinction between *knowledge and learning* on the one hand, and *sense and judgment* on the other, as applied to a certain *one-sided* politician he was criticising, he said:—"One of these arguing machines reminds me of the bishop at chess. The black or white bishop (I use the term not in ref-

erence to the color of the piece, but of that of the square he stands upon) is a serviceable piece enough in his way; but he labors under this defect; that, moving in the diagonal only, he can never get off his original color. His clerical character is indelible. He can scour away all over *just one-half* of the board; but his adversary may be on the next square, and perfectly safe from his attack. To be safe from the bishop, you have only to move upon any one of the thirty-two squares that are forbidden ground to him. But not so the irregular knight, who, at successive leaps, can cover every square upon the board, to whose *check* the king can interpose no guard, but must move or die. Even the poor pawn has a privilege which the bishop has not; for he can elude his mitred adversary by moving from a white square to a black one, or from a black square to a white one, and finally reach the highest honors of the game. So even a poor peasant of sense may instruct the philosopher, as the shepherd did, in that beautiful introduction, the finest of Mr. Gay's fables but one, who drew all his notions of men and things from nature. It is in vain to turn over musty folios, and to double down dog's ears; it does very well in its place—in a lawyer's office or a *bureau*—I am forced to use the word for want of a better; but it will not supply the place of that which books never gave, and never can give—of sagacity, judgment and experience.”

The coinage of new words, in our American vocabulary, is a curious and interesting study. Although they constantly spring up, spontaneously as it were, and are swept into the current of general use in the great and growing activities of the people; yet it is generally difficult and often impossible to trace their origin to an authentic source. They are *words of the people*, both in the sense of popular use, and popular origin; and no man or set of men can be designated as their author. At least one such word,—the political epithet “dough-face”—sprang from the fertile brain of Mr. Randolph, and is attributed to him by the standard lexicographers of the country. During the “Missouri” contest in the Congress of 1819–20, the term was applied by him to the northern members, whose co-operation with the southern men who favored it, carried through that obnoxious measure. A perusal of his speeches, too, will disclose that they abound in original aphorisms and pithy expressions, which are now in almost daily use among the people.

Mr. Randolph's sanity having been passed upon by competent authority, after thorough investigation, it would be not less unbecoming than unprofitable to discuss the question now, in a sketch like this. The learned judges who considered the case arising out of the contest of his will, came to the conclusion that he was of sound mind when his will of 1821 was drafted,

but insane at the date of the will written in 1832. It does not appear how far the shattering of his mental powers, may have been owing to stimulants and narcotics, used to allay the racking pains of his poor suffering body; but these must have contributed to the unfortunate result. Truly, in no point of view could the unhinging of such a mind, be regarded otherwise than a public calamity—a great loss alike to his state and country, and to the world.

The discreet and industrious author of “Home Reminiscences,” has collected the written testimony of some of the first men of the state, as to Mr. Randolph’s personal appearance and manner. A few extracts from some of them cannot fail to prove interesting. Says Hon. James W. Bouldin:—“The first time I saw Mr. Randolph was at Prince Edward court, in October 1808 or ’9. He was then at his zenith. For the first time since his first election, which was closely contested with Powhatan Bolling, some opposition began to discover itself to him in the district. It was said he was to speak, and I rode twenty miles to hear him. I remember well his appearance. When I saw him he was approaching the court-house, walking very slowly, and alone—a tall, spare, straight man, very neatly dressed in summer apparel—shoes, nankeen gaiters and pantaloons, white vest, drab cloth coat of very fine quality, and white beaver hat.

Though he had no shape, but that he was forked, and had very long arms, all the way the same size, with long bony fingers, with gloves on, still he had a most graceful appearance. His bow, notwithstanding it was slight, bending his body very little, and rather leaning his head back than forward, was winning to those to whom it was addressed, and seemed to carry with it marked attention and respect. His eyes were hazel, of the darkest hue, and had the appearance of being entirely black, unless you were very near him. They opened round, and when open nearly hid the lids, the dark, long lashes only showing. Their brilliancy surpassed any I have ever seen. His appearance was remarkable and commanding, and would attract the attention of any one. His manner, though stately, possessed a charm to those to whom he wished to make himself agreeable, but had something terrible in it to those to whom he felt a dislike. To mere strangers it was simply lofty and graceful."

The late Dr. C. H. Jordan, a Virginian, but a resident of North Carolina at the time of his death, says: "But to give those who never saw him some idea of his personal appearance and presence, I may say that he was tall, slender, delicate and feeble, with a short body, long legs and arms, and the longest fingers I ever saw. His head was not very large, but was symmetrical in the highest degree. His eyes were brilliant beyond description, indicating to a

thoughtful observer a brain of the highest order. No one could look into them without having this truth so indelibly impressed upon his own mind, that time's busy fingers may strive in vain to efface the impression. His eye, his fore-finger and his foot were the members used in gesticulation; and, in impressing a solemn truth, a warning, or a proposition to which he wished to call the attention of his audience particularly, he could use his foot with singular and thrilling effect. The ring of the slight patting of his foot was in perfect accord with the clear musical intonations of that voice which belonged only to Mr. Randolph. In his appeals to high heaven, the God of the universe, the final judge of all the earth, with his eyes turned heavenward, and that 'long bony finger' pointing to the skies, both gradually lowering as the appeal or invocation closed, the moral effect was so thrilling that every man left the scene with (for the time at least) a better heart than he carried there."

The following vivid picture, from the pen of Mr. James M. Whittle of Virginia, is highly entertaining. It is taken, like the two last, from Mr. Bouldin's "Home Reminiscences."

"In a short time after reaching the court-house, groups of people were seen hurrying to a spot down the road, some hundred yards off. Joining the throng, I followed on, and discovered a dense crowd surrounding a person in a sulky, drawn by a gray horse,

and behind it a negro seated on another of the same color, apparently its match. The heads of these animals were lifted high above the spectators, and looked down upon them with disdainful pride. On approaching, it was observed that the sulky and harness were deep black, with brilliant plated mountings, the shafts bent to a painful segment of a circle, the horses of the best keep, as doubtless they were of the highest blood. The servant, who was of the profoundest sable, carried a high black portmanteau behind him, and was attired in clothing of the same hue. Quite a strong contrast—possibly designed—was exhibited between the masses of intense darkness and the plating, the horses, the teeth and shirt collar of the servant. The order of the whole equipage was complete. The tenant of the sulky was as frail a man as I have ever seen. He was conversing pleasantly with the people.

“I heard nothing he said. He soon bowed gracefully to the crowd, which gave way before him, and he passed on, it following him. The throng increased as he proceeded to an old-fashioned Virginia inn near the court-house, by which time it was swollen by the addition of most of the persons on the ground, and became a dense mass. A twitch was felt by some of the spectators, at observing so delicate a man at the mercy of apparently so terrific a horse, which seemed to have its driver completely in its power, but which

he managed with entire composure. Mr. Randolph alighted with a feeble step, passed through the porch of the inn, into a passage, followed by a crowd, and disappeared within a room, the door of which was immediately closed. The people remained before the door of the inn, awaiting his re-appearance, without noise or confusion. After lolling awhile, Mr. Randolph came out and proceeded toward the court-house. The crowd followed—keeping a respectful distance; by his side walked some of his elderly and prominent constituents, with whom he conversed familiarly on the way. It happened to me to have a position from which I could discern his form and action. He was the merest skeleton of a man; any boy of fifteen could, likely, have mastered him. His extreme emaciation may have magnified his apparent height, which was about six feet. There seemed to be a want of action about his knees, which were somewhat in-turned. He drew them up in walking, and did not throw his feet boldly forward. More than the usual amount of the bottom of his feet was seen as he moved, and he placed these directly forward as the Indians do. On reaching the court-house pale, he stopped and conversed with a good many people, when a lawyer came up and introduced one of his brethren to Mr. Randolph. The latter passed through the introduction with commanding dignity and grace. Having passed over the steps within the

court-house yard, some of his constituents solicited him to speak to the people; this he seemed reluctant to do, but after some importunity he consented, and retired to a bench near by, put his elbows about his knees, inserted his head between his hands, and seemed to be in profound meditation for a few moments. In this position, the want of proportion between the length of his body and of his lower limbs was striking, so much so that his knees seemed to intrude themselves into his face. He then approached the steps with a languid and infirm tread, ascended them, took off his hat, and made his bow to his audience in the most impressive and majestic manner that can be conceived. It may be doubted whether there lives in America a man who can do this as he did it. His countenance and manner were solemn—funereal. Subsequent information enabled me to account for what would seem to have been without occasion. He had just emerged from a contest in Congress, running through two sessions, into which he had thrown his whole power, the result of which had filled him with apprehensions of the ruin of the Union, and from the rebound of the loosened tension he was left sick and solemn. The outer man was now fully presented to those before him. He was evidently a great sufferer from disease, and likely the sturdy working of his impatient intellect had strained too severely the feeble case which contained it. He

appeared to be the Englishman and Indian mixed; the latter assuming the outer, the former the larger part of the inner man. His dress was all English—all over. His hat was black; his coat was blue, with brilliant metallic buttons and velvet collar; his breeches and vest drab, with fair-topped English boots and massive silver spurs—likely they were ancestral; his watch ribbon sustained a group of small seals—heirlooms, it may be, from times beyond Cromwell. His age must have been about forty-three; his hair was bright brown, straight, not perceptibly gray, thrown back from his forehead and tied into a queue, neither long nor thick. His complexion was swarthy; his face beardless, full, round and plump; his eye hazel, brilliant, inquisitive, proud; his mouth was of delicate cast, well suited to a small head and face, filled with exquisite teeth, well kept as they could be; his lips painted, as it were, with indigo, indicating days of suffering and nights of torturing pain. His hands were as fair and delicate as any girl's. Every part of his dress and person was evidently accustomed to the utmost care.

“His face was the most beautiful and attractive to me I had almost ever seen. There was no acerbity about it that day, his manner was calm and bland, though sustained by a graceful and lofty dignity. It was apprehended that a body so frail encased a group of shattered and tremulous nerves, and that the prom-

inence of his position, and what was expected of him, might put these in an ague of agitation. Though he was as much excited as a speaker could well be, yet he did not betray his emotion by any quivering of a lip, tremor of a nerve, or hurry of a word. He seemed in this, as in most other respects, to differ from all other men. He was calm, slow, and solemn, throughout his address. The text of it was the "Missouri Compromise," and he expended not more than fifteen minutes in its delivery. His manner was deliberate, beyond any speaker I have ever heard. This so differed from my expectation of him as to dispel the ideal of tempestuous rapidity, which his cynic and impassioned reputation had inspired. It was obvious, however, that the supreme mastery which he had over himself was essential to the deadly aim of his arrow, and the fatal mixing of the poison in which he dipped it. He stood firm in his position, his action and grace seemed to be from the knee up. His voice was that of a well-toned flageolet, the key conversational, though swelled to its utmost compass. The grandeur of his mein and his impressive salutation may have composed his audience into the deep silence which prevailed, but the uttering of a few words disclosed a power of engaging attention which I have met with in no other man—his articulation. Without this, it is hard to conceive how, in the open air, he could have been so distinctly heard by so large a mass. He was

greatly aided too by his self-possession, as in his feeble state it must have been essential, to command every faculty and every art which could contribute to the result desired. Not only every word and syllable, but it seemed that every letter of every word in every syllable was distinctly sounded. There was a perceptible interval, it appeared, between each of his words as they dropped one by one from his lips, and that he had supplied himself with a given *quantum* of speech before he commenced, determined by its judicious use to accomplish a proposed effect.

“These words, written and read, would hardly occasion any remark, except perhaps that if he had not a foresight, which was extraordinary, there was a rare coincidence between what he said would occur, and what, forty-four years afterwards, actually did occur at Appomattox Court-house — the overthrow of *that union* under which we *then* lived; and that it resulted from the causes which he indicated.

“But his words were only a part of the performance, the uttering of but a few of those showed that he was an actor. They were few, so were his gestures, but they were as expressive as his words. I had studied some of the orations of Cicero, and had read of Roscius; but I could not understand the power of the latter over his spectators until that day. Had Mr. Randolph lived when pantomime was in vogue, it is not unlikely that he could have communicated his

thoughts and feelings effectually, though he spake never a word. As he proceeded, the impression was, there is Cicero and Roscius combined, two men in one, Cicero within, Roscius without. The auditors of course yielded themselves prompt and willing captives."

But the following description should perhaps attract the greatest attention, and excite the greatest interest of all; being a cotemporaneous writing of a cotemporary and familiar acquaintance of Mr. Randolph. It appeared in the *National Intelligencer* about the time of Mr. Randolph's death.

"Mr. Randolph is beyond comparison the most singular and striking person that I ever met with. As an orator he is unquestionably the first in the country, and yet there are few men who labor under so many physical disadvantages. He seems made up of contradictions. Though his person is exceedingly tall, thin and disproportioned, he is the most graceful man in the world; and with an almost feminine voice, he is more distinctly heard in the house than either Mr. D. or Roger —, though the former is more noisy than a field preacher, and the latter more vociferous than a crier of oysters. When seated on the opposite side of the halls of Congress, Mr. Randolph looks like a youth of sixteen, but when he rises to speak, there is an almost sublimity in the effect proceeding from the contrast in height when seated or standing. In the

former his shoulders are raised, his head depressed, his body bent; in the latter he is seen with his figure dilated in the attitude of inspiration, his head raised, his long, thin finger pointing, and his dark, clear chestnut eye flashing lightning at the object of his overwhelming sarcasm.

“Mr. Randolph looks, acts, and speaks, like no other man I have ever seen. He is original, unique, in everything. His style of oratory is emphatically his own. Often diffusive and discursive in his subjects, his language is simple, brief and direct, and however he may seem to wander from the point occasionally, he never fails to return to it with a bound, illuminating it with flashes of wit, or the happiest illustrations drawn from a retentive memory and a rich imagination. Though eccentric in his conduct in the ordinary affairs of life, and his intercourse with the world, there will be found more of what is called common sense in his speeches than in those of any other man in Congress. His illustrations are almost always drawn from familiar scenes, and no man is so happy in allusions to fables, proverbs, and the ordinary incidents of human life, of which he has been a keen observer. His is not that fungus species of eloquence which expands itself into empty declamation, sacrificing strength, clearness, and perspicuity, to the more popular charm of redundant metaphors and periods rounded with all the precision of the compass. . . .

"Virginia was the goddess of his idolatry, and of her he delighted to talk. He loved her so much, and so dearly, that he sometimes almost forgot he was also a citizen of the United States. The glories and triumphs of the eloquence of Patrick Henry, and the ancient hospitality of the aristocracy of the Old Dominion, were also his favorite subjects, of which he never tired, and with which he never tired me. In short, the impression on my mind is never to be eradicated, that his heart was liberal, open and kind, and that his occasional ebullitions of spleen and impatience were the spontaneous, perhaps irrepressible, efforts of a suffering and debilitated frame, to relieve itself a moment from the eternal impression of its own unceasing worryings.

"But, whatever may be the defects of Mr. Randolph's temper, no one can question his high and lofty independence of mind, or his unsullied integrity as a public agent or a private gentleman. In the former character, he has never abandoned his principles to suit any political crisis, and in the latter he may emphatically be called an honest man. His word and his bond are equally to be relied on, and as his country can never accuse him of sacrificing her interests to his own ambition, so no man can justly charge him with the breach of any private obligation. In both these respects, he stands an illustrious example to a country in which *political talents are much*

more common than political integrity, and where it is too much the custom to forget the actions of a man in our admiration of his speeches."

Said Mr. Benton, of him:—"For more than thirty years, he was the political meteor of Congress, blazing with undiminished splendor during the whole time. His parliamentary life was resplendent in talent, elevated in moral tone, always moving on the lofty line of honor and patriotism, and scorning everything mean and selfish. He was the indignant enemy of personal and plunder legislation, and the very scourge of intrigue and corruption. . . . He was the Murat of his party, brilliant in the charge, and always ready for it; and valued in the council as well as in the field."

It was a sad, but perhaps a natural ending, to a sad, solitary, and fevered life, that Mr. Randolph should have breathed his last at a public house, in a strange city, attended only by his faithful "John," and surrounded by comparative strangers.

Having bid a last adieu to his beloved Virginia, death overtook him at Philadelphia, almost in the act of embarking for England, where he hoped to find benefit from the climate which he always thought, or perhaps fancied, was best suited to his case. Driven to an obscure hotel, in a lumbering hack, and through a pelting storm; after fruitless efforts to find lodgings

elsewhere in the crowded city—can anything more touching and pathetic be imagined than the exclamation which burst from his lips as he at length found an asylum for his weary frame?—"Great God! I thank thee; I shall be among friends, and be taken care of." There is really an almost overpowering pathos in the picture of the dying statesman;—his utter friendlessness, and desolation, in those supreme hours, when—

"On some fond breast the parting soul relies,
Some pious drops the closing eye requires;"—

and it would seem that no enmity or resentment that is not fiendish, could fail to be disarmed by the contemplation of such a spectacle of forsaken helplessness, as the closing scene presents. It would seem a hardened heart, indeed, that could not melt to tenderness at his plaintive words to his physician—"I have been sick all my life!"

Let the moralist and the censor descant at will, upon robust and sturdy wickedness stalking defiantly before High Heaven; and let offended laws, human and divine, enforce their proper sanction;—but oh! when the shadows of the evening have fallen down upon a wasted frame, and the dream of life is over, shall not our charity incline us to "throw a veil over foibles," whatever they may have been? and shall not the "apologies of human nature" plead successfully?

"Having disposed of that subject most deeply im-

pressed on his heart, his keen, penetrating eye lost its expression, his powerful mind gave way, and his fading imagination began to wander amid scenes and with friends that he had left behind. In two hours the spirit took its flight, and all that was mortal of John Randolph of Roanoke was hushed in death. At a quarter before twelve o'clock, on the 24th day of June, 1833, aged sixty years, he breathed his last, in a chamber of the City Hotel, No. 41 North Third Street, Philadelphia.

“His remains were taken to Virginia, and buried at Roanoke, not far from the mansion in which he lived, and in the midst of that ‘boundless contiguity of shade,’ where he spent so many hours of anguish and of solitude. He sleeps quietly now: the squirrel may gambol in the boughs above, the partridge may whistle in the long grass that waves over that solitary grave, and none shall disturb or make them afraid.

“That innumerable funeral bells were not tolled, and eulogies pronounced, and a monument erected to his memory in the capitol of his native State, is because Virginia has not yet learned to ‘understand’ and to appreciate her wisest statesman, truest patriot, and most devoted son.”

NOTE.—Extract from a letter dated “Roanoke, Charlotte Co., Va., Dec. 12th, 1879”; describing the

disinterment of the remains of Mr. Randolph, for removal to "Hollywood" cemetery at Richmond, Virginia, where his grave now is:

"We are standing round the open grave of John Randolph to-day—the rain-drops silently falling on the uncovered heads, and the winds chanting a requiem among the tops of the pines which for forty-six years have stood faithful sentinels over the body of their once proud master. As the earth is thrown aside, we gaze upon the decayed remnant of the brown felt which covered the box. The box is gone, and the lead coffin is sunken in places and broken, but with tender care it is lifted out and opened. There is nothing to bespeak the great statesman here, only the naked bones, with hands crossed peacefully on his breast. Thus does Death, that great leveler, 'place prince and peasant side by side.'"

APPENDIX.



THE DECLARATION

*By the Representatives of the United Colonies of North America, now met in Congress at Philadelphia; setting forth the causes and necessity of their taking up arms—July 6th, 1775.**

If it was possible for men, who exercise their reason to believe, that the Divine Author of our existence intended a part of the human race to hold an absolute property in, and an unbounded power over others, marked out by his infinite goodness and wisdom, as the objects of a legal domination never rightly resistible, however severe and oppressive, the inhabitants of these colonies might at least require from the parliament of *Great Britain* some evidence that this dreadful authority over them has been granted to that body. But a reverence for our great Creator, principles of humanity, and the dictates of common sense, must convince all those who reflect upon the

* This Declaration is embodied in "Dickinson's Writings," without even a hint that a considerable (and in one sense the only considerable) portion of it is from Mr. Jefferson's pen.

subject, that government was instituted to promote the welfare of mankind, and ought to be administered for the attainment of that end. The legislature of *Great Britain*, however, stimulated by an inordinate passion for a power not only unjustifiable, but which they knew to be peculiarly reprobated by the very constitution of that kingdom, and desperate of success in any mode of contest, where regard should be had to truth, law, or right, have at length, deserting those, attempted to effect their cruel and impolitic purpose of enslaving these colonies by violence, and have thereby rendered it necessary for us to close with their last appeal from reason to arms.—Yet, however blinded that assembly may be, by their intemperate rage for unlimited domination, so to slight justice and the opinion of mankind, we esteem ourselves bound by obligations of respect to the rest of the world, to make known the justice of our cause.

Our forefathers, inhabitants of the island of *Great Britain*, left their native land, to seek on these shores a residence for civil and religious freedom. At the expense of their blood, at the hazard of their fortunes, without the least charge to the country from which they removed, by unceasing labour and an unconquerable spirit, they effected settlements in the distant and inhospitable wilds of *America*, then filled with numerous and warlike nations of barbarians. Societies or governments, vested with perfect legis-

latures, were formed under charters from the crown, and an harmonious intercourse was established between the colonies and the kingdom from which they derived their origin. The mutual benefits of this union became in a short time so extraordinary as to excite astonishment. It is universally confessed, that the amazing increase of the wealth, strength, and navigation of the realm, arose from this source; and the minister who so wisely and successfully directed the measures of *Great Britain* in the late war, publicly declared that these colonies enabled her to triumph over her enemies. Towards the conclusion of that war, it pleased our sovereign to make a change in his counsels. From that fatal moment, the affairs of the *British* empire began to fall into confusion, and gradually sliding from the summit of glorious prosperity to which they had been advanced by the virtues and abilities of one man, are at length distracted by the convulsions that now shake it to its deepest foundations. The new ministry, finding the brave foes of *Britain*, though frequently defeated, yet still contending, took up the unfortunate idea of granting them a hasty peace, and of then subduing her faithful friends.

These devoted colonies were judged to be in such a state as to present victories without bloodshed, and all the easy emoluments of statuteable plunder. The uninterrupted tenor of their peaceable and respectful

behaviour from the beginning of colonization, their dutiful, zealous, and useful services during the war, though so recently and amply acknowledged in the most honourable manner by his majesty, by the late king, and by parliament, could not save them from the meditated innovations. Parliament was influenced to adopt the pernicious project, and assuming a new power over them, have in the course of eleven years given such decisive specimens of the spirit and consequences attending this power, as to leave no doubt concerning the effects of acquiescence under it. They have undertaken to give and grant our money without our consent, though we have ever exercised an exclusive right to dispose of our own property; statutes have been passed for extending the jurisdiction of courts of admiralty and vice-admiralty beyond their ancient limits; for depriving us of the accustomed and inestimable privilege of trial by jury in cases affecting both life and property; for suspending the legislature of one of the colonies; for interdicting all commerce to the capital of another; and for altering fundamentally the form of government established by charter, and secured by acts of its own legislature solemnly confirmed by the crown; for exempting the "murderers" of colonists from legal trial, and, in effect, from punishment; for erecting in a neighbouring province, acquired by the joint arms of *Great Britain* and *America*, a despotism dangerous to our

very existence; and for quartering soldiers upon the colonists in time of profound peace. It has also been resolved in parliament, that colonists charged with committing certain offences, shall be transported to *England* to be tried.

But why should we enumerate our injuries in detail? By one statute it is declared that parliament can, "of right, make laws to bind us *in all cases whatsoever*." What is to defend us against so enormous, so unlimited a power? Not a single man of those who assume it, is chosen by us; or is subject to our control or influence; but on the contrary, they are all of them exempt from the operation of such laws, and an *American* revenue, if not diverted from the ostensible purposes for which it is raised, would actually lighten their own burdens in proportion as they increase ours. We saw the misery to which such despotism would reduce us. We for ten years incessantly and ineffectually besieged the throne as supplicants; we reasoned, we remonstrated with parliament in the most mild and decent language.

ADMINISTRATION, sensible that we should regard these oppressive measures as freemen ought to do, sent over fleets and armies to enforce them. The indignation of the *Americans* was roused, it is true; but it was the indignation of a virtuous, loyal and affectionate people. A congress of delegates from the united colonies was assembled at *Philadelphia* on

the *fifth* day of last *September*. We resolved again to offer an humble and dutiful petition to the king, and also addressed our fellow subjects of *Great Britain*. We have pursued every temperate, every respectful measure; we have even proceeded to break off our commercial intercourse with our fellow subjects, as the last peaceable admonition that our attachment to no nation upon earth should supplant our attachment to liberty. This, we flattered ourselves, was the ultimate step of the controversy: but subsequent events have shewn, how vain was this hope of finding moderation in our enemies.

Several threatening expressions against the colonies were inserted in his majesty's speech; our petition, though we were told it was a decent one, and that his majesty had been pleased to receive it graciously, and to promise laying it before his parliament, was huddled into both houses among a bundle of *American* papers, and there neglected. The lords and commons in their address, in the month of *February*, said, that "a rebellion at that time actually existed within the province of *Massachusetts Bay*; and that those concerned in it, had been countenanced and encouraged by unlawful combinations and engagements, entered into by his majesty's subjects in several of the other colonies; and therefore they besought his majesty, that he would take the most effectual measures to inforce due obedience to the

laws and authority of the supreme legislature.”— Soon after, the commercial intercourse of whole colonies, with foreign countries, and with each other, was cut off by an act of parliament; by another, several of them were entirely prohibited from the fisheries in the seas near their coasts, on which they always depended for their sustenance; and large reinforcements of ships and troops were immediately sent over to General *Gage*.

Fruitless were all the entreaties, arguments, and eloquence of an illustrious band of the most distinguished peers and commoners, who nobly and strenuously asserted the justice of our cause, to stay, or even to mitigate the heedless fury with which these accumulated and unexampled outrages were hurried on. Equally fruitless was the interference of the city of *London*, of *Bristol*, and many other respectable towns in our favour. Parliament adopted an insidious manœuvre calculated to divide us, to establish a perpetual auction of taxations, where colony should bid against colony, all of them uninformed what ransom would redeem their lives; and thus to extort from us, at the point of the bayonet, the unknown sums that should be sufficient to gratify, if possible to gratify, ministerial rapacity, with the miserable indulgence left to us of raising in our own mode, the prescribed tribute. What terms more rigid and humiliating could have been dictated by remorseless victors to

conquered enemies? In our circumstances to accept them, would be to deserve them.

Soon after the intelligence of these proceedings arrived on this continent, General *Gage*, who in the course of the last year had taken possession of the town of *Boston*, in the province of *Massachusetts Bay*, and still occupied it as a garrison, on the 19th day of *April*, sent out from that place a large detachment of his army, who made an unprovoked assault on the inhabitants of the said province, at the town of *Lexington*, as appears by the affidavits of a great number of persons, some of whom were officers and soldiers of that detachment, murdered eight of the inhabitants, and wounded many others. From thence the troops proceeded in warlike array to the town of *Concord*, where they set upon another party of the inhabitants of the same province, killing several and wounding more, until compelled to retreat by the country people suddenly assembled to repel this cruel aggression. Hostilities, thus commenced by the *British* troops, have been since prosecuted by them without regard to faith or reputation. The inhabitants of *Boston* being confined within that town by the general their governor, and having, in order to procure their dismissal, entered into a treaty with him, it was stipulated that the said inhabitants having deposited their arms with their own magistrates, should have liberty to depart, taking with them their other effects. They

accordingly delivered up their arms, but in open violation of honor, in defiance of the obligation of treaties, which even savage nations esteem sacred, the governor ordered the arms deposited as aforesaid, that they might be preserved for their owners, to be seized by a body of soldiers; detained the greatest part of the inhabitants in the town, and compelled the few who were permitted to retire, to leave their most valuable effects behind.

By this perfidy, wives are separated from their husbands, children from their parents, the aged and the sick from their relations and friends, who wish to attend and comfort them; and those who have been used to live in plenty and even elegance, are reduced to deplorable distress.

The general, further emulating his ministerial masters, by a proclamation bearing date on the 12th day of *June*, after venting the grossest falsehoods and calumnies against the good people of these colonies, proceeds to "declare them all, either by name or description, to be rebels and traitors, to surpese the course of the common law, and instead thereof to publish and order the use and exercise of the law martial." His troops have butchered our countrymen, have wantonly burnt *Charlestown*, besides a considerable number of houses in other places; our ships and vessels are seized; the necessary supplies of provisions are intercepted, and he is exerting his

utmost power to spread destruction and devastation around him.

We have received certain intelligence, that General *Carleton* the governor of *Canada*, is instigating the people of that province and the *Indians* to fall upon us; and we have but too much reason to apprehend, that schemes have been formed to excite domestic enemies against us. In brief, a part of these colonies now feel, and all of them are sure of feeling, as far as the vengeance of administration can inflict them, the complicated calamities of fire, sword, and famine. [Thus far writes Mr. Dickinson. The remainder,—in which, not only the *temper*, but also the *style of composition* materially changes,—is from the pen of Mr. Jefferson.]

We are reduced to the alternative of choosing an unconditional submission to the tyranny of irritated ministers, or resistance by force. The latter is our choice. WE HAVE COUNTED THE COST OF THIS CONTEST, AND FIND NOTHING SO DREADFUL AS VOLUNTARY SLAVERY. Honour, justice, and humanity, forbid us tamely to surrender that freedom which we received from our gallant ancestors, and which our innocent posterity have a right to receive from us. We cannot endure the infamy and guilt of resigning succeeding generations to that wretchedness which inevitably awaits them, if we basely entail hereditary bondage upon them.

Our cause is just. Our union is perfect. Our internal resources are great, and, if necessary, foreign assistance is undoubtedly attainable. We gratefully acknowledge, as signal instances of the Divine favour towards us, that his providence would not permit us to be called into this severe controversy, until we were grown up to our present strength—had been previously exercised in warlike operations, and possessed the means of defending ourselves. With hearts fortified by these animating reflections, we most solemnly, before God and the world, DECLARE, that, exerting the utmost energy of those powers, which our beneficent Creator hath graciously bestowed upon us, the arms we have been compelled by our enemies to assume, we will, in defiance of every hazard, with unabating firmness and perseverance, employ for the preservation of our liberties; being with one mind resolved to die freemen rather than to live slaves.

Lest this declaration should disquiet the minds of our friends and fellow-subjects in any part of the empire, we assure them that we mean not to dissolve that union which has so long and so happily subsisted between us, and which we sincerely wish to see restored. Necessity has not yet driven us into that desperate measure, or induced us to excite any other nation to war against them. We have not raised armies with ambitious designs of separating from

Great Britain, and establishing independent states. We fight not for glory or for conquest. We exhibit to mankind the remarkable spectacle of a people attacked by unprovoked enemies, without any imputation or even suspicion of offence. *They* boast of their privileges and civilization, and yet proffer no milder conditions than servitude or death.

In our own native land, in defence of the freedom that is our birth-right, and which we ever enjoyed till the late violation of it—for the protection of our property, acquired solely by the honest industry of our forefathers and ourselves, against violence actually offered, we have taken up arms. We shall lay them down when hostilities shall cease on the part of the aggressors, and all danger of their being renewed shall be removed, and not before.

With an humble confidence in the mercies of the supreme and impartial judge and ruler of the universe, we most devoutly implore his divine goodness to protect us happily through this great conflict, to dispose our adversaries to reconciliation on reasonable terms, and thereby to relieve the empire from the calamities of civil war.



1. The first part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics that deals with the changes in the language over time and across different regions. This includes the study of the development of the English language from its roots in Old English to the modern forms we use today. The paper also touches upon the influence of other languages on English, particularly from French and Latin, and how these influences have shaped the vocabulary and grammar of the language.

2.

3.



3 2044 018 809 558

THE BORROWER WILL BE CHARGED
AN OVERDUE FEE IF THIS BOOK IS
NOT RETURNED TO THE LIBRARY ON
OR BEFORE THE LAST DATE STAMPED
BELOW. NON-RECEIPT OF OVERDUE
NOTICES DOES NOT EXEMPT THE
BORROWER FROM OVERDUE FEES.

